

Joint Appropriations Subcommittee on
Justice and Public Safety

Department of Justice
Administration
Legal Services
Training and Standards

March 18, 2015



FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Follow-up from Yesterday



FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Lapsed Salary Use

Lapsed salary: the dollar amount of salary and associated benefits not expended during the period in which a position is vacant

G.S. 143C-6-9 Use of lapsed salary savings

Lapsed salary savings may be expended only for nonrecurring purposes or line items.

OSBM Budget Manual:

- Limited to expenditure in Personal Services, Purchased Services, Supplies, Equipment, or Other accounts
- Expenditure in Purchased Services does not require prior approval of OSBM
- Funds can only be spent after they have been generated
- Contracts funded with lapsed salaries are limited to the fiscal year
- Funds can't be used to create new positions, provide salary increases, or expand the scope of a program

Budget Terms: Base Budget



- Previous year's authorized budget
- Backs out nonrecurring reductions or increases
- May also include adjustments for:
 - Annualization of programs
 - Federal payroll tax changes
 - Contracted lease rate increases
 - Receipt projections
 - Reconciliation of intra- and intergovernmental transfers

JPS - DOJ

Department of Justice (DOJ)

Provides legal services for the State, assists local law enforcement agencies, and oversees law enforcement training and standards

Roy Cooper, Attorney General

Includes:

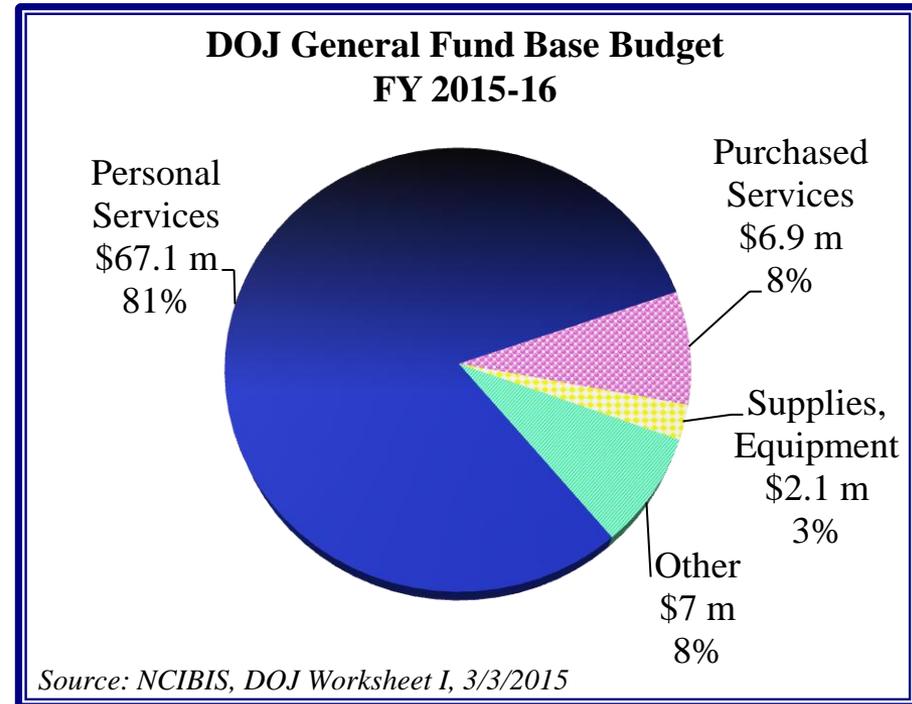
- Legal services
- Consumer Protection
- Criminal Justice Training and Standards
- NC State Crime Lab

Total General Fund Base Budget:

\$83.1 million

Total FTE Employees:

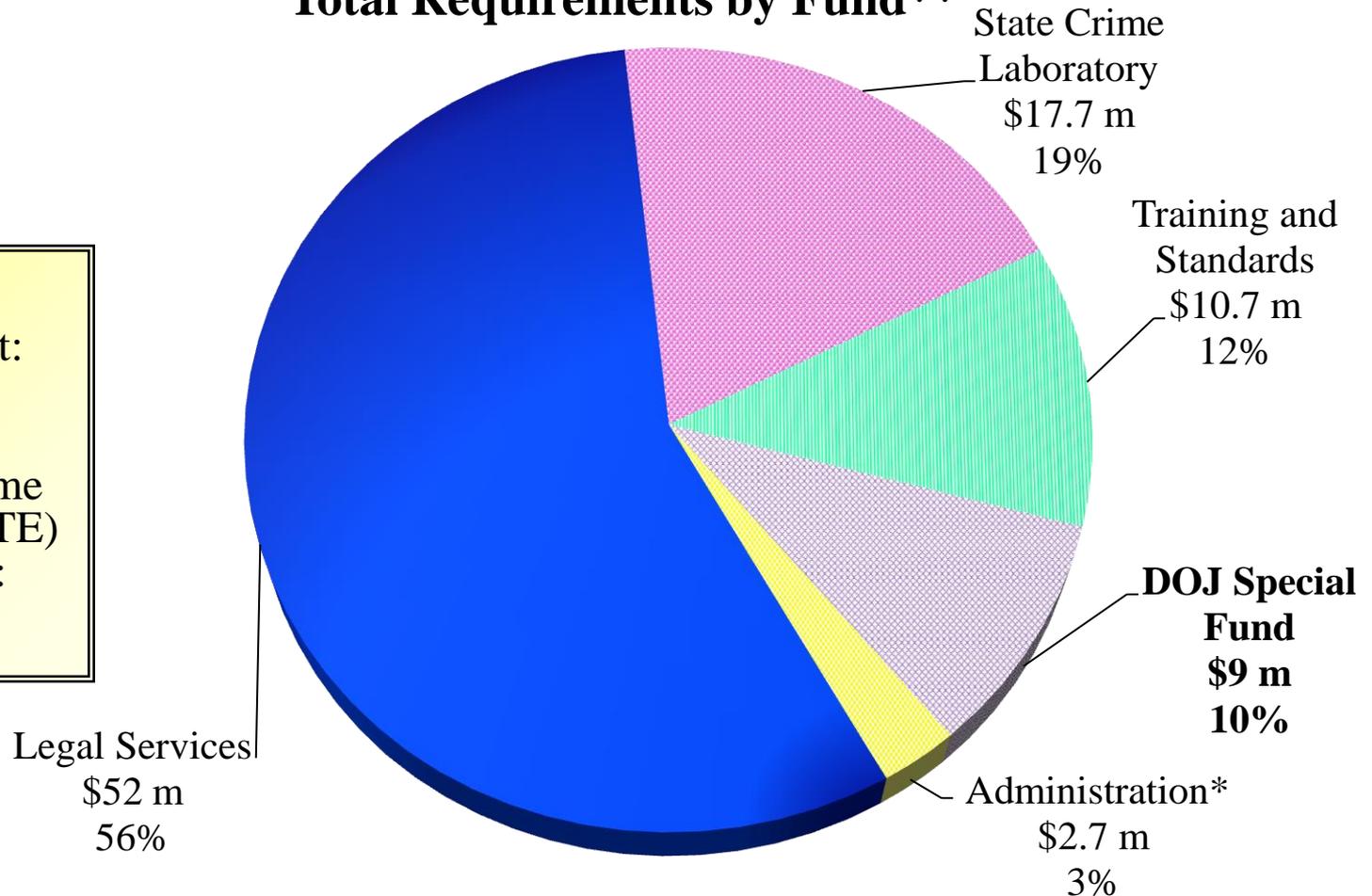
807.76



FY 2015-16 Base Budget

Total Requirements by Fund**

Total Budget:
\$92 m
Total Full-Time
Equivalent (FTE)
Employees:
835.26

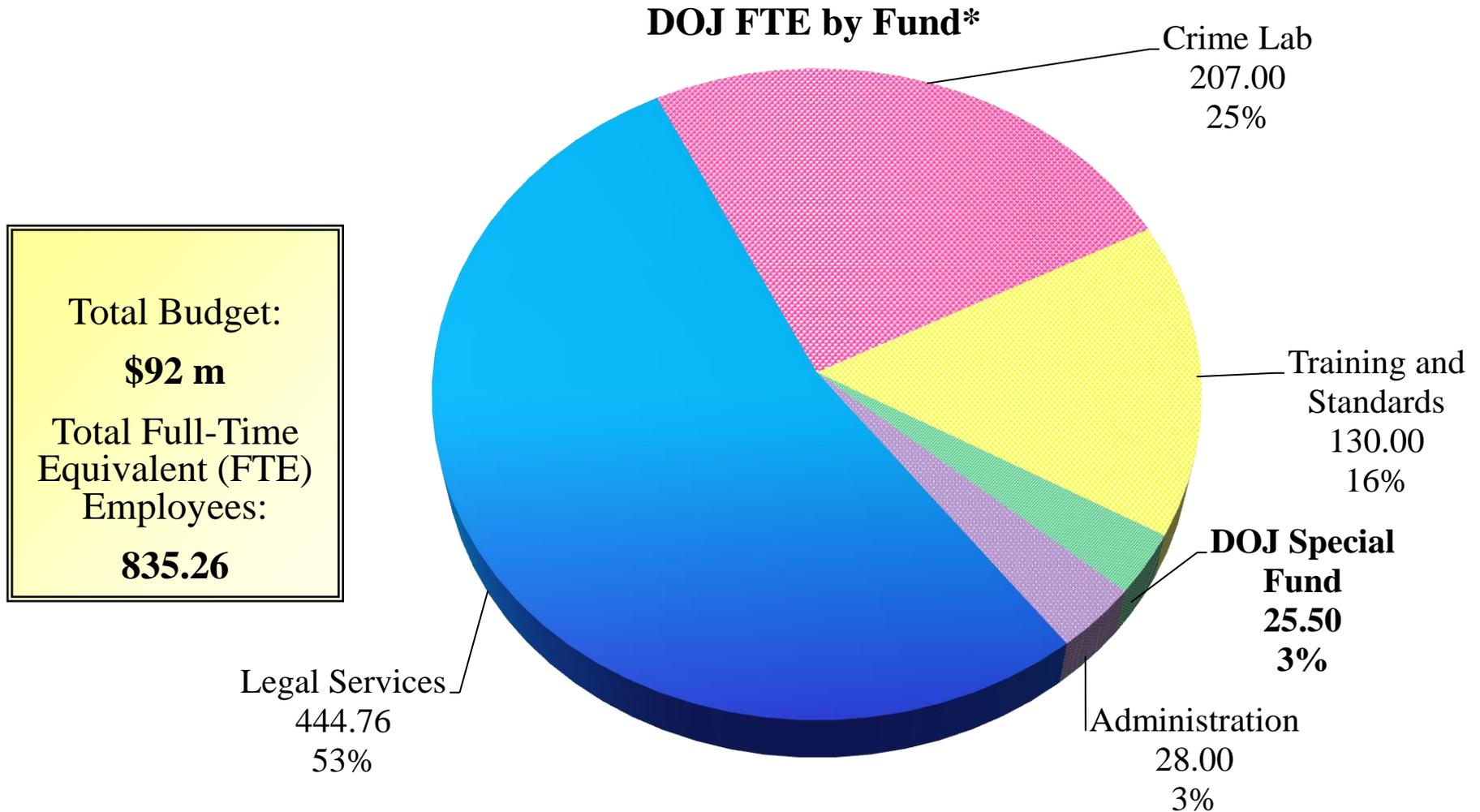


**Intergovernmental transactions have been adjusted to avoid double counting.

*Administration includes Fund Codes 1100 and 1991

Source: NCIBIS, DOJ Worksheet I, 3/3/2015; FTE – BEACON B0149, 3/5/2015

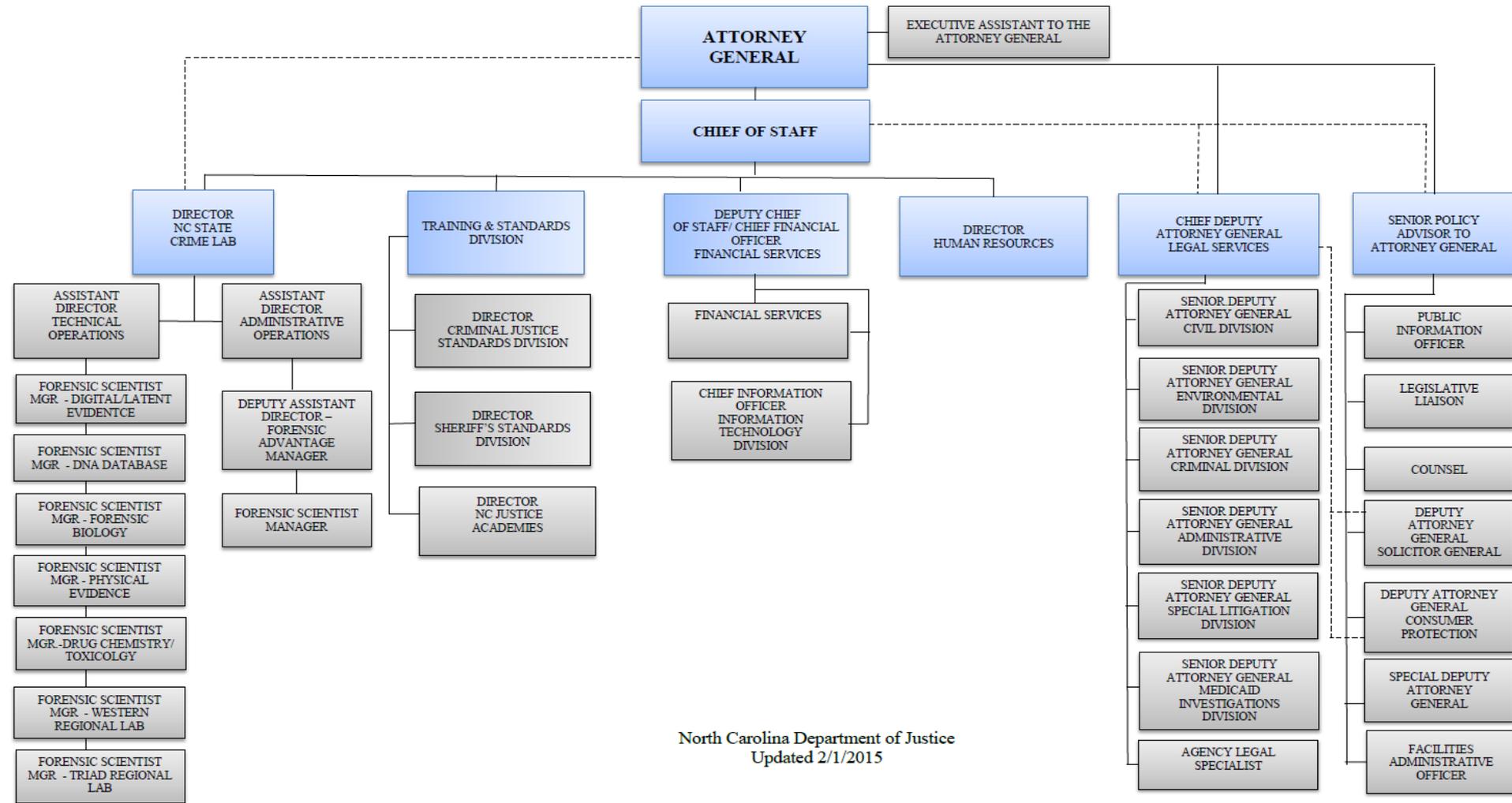
FY 2015-16 Base Budget



Source: FTE – Beacon BO149 3/5/2015

*Administration includes Fund Codes 1100 and 1991

Department of Justice



North Carolina Department of Justice
Updated 2/1/2015

Administration

DOJ Administration

General Administration:

- Attorney General and administrative support

Financial Services:

- Accounting
- Budgeting
- Cash management
- Payroll
- Contract oversight
- Reporting
- Audit

Human Resources:

- Recruitment
- Compensation, and benefits
- Performance
- Professional development
- Occupational Safety and Health

Total General
Fund (GF)
Budget:

\$2,651,232

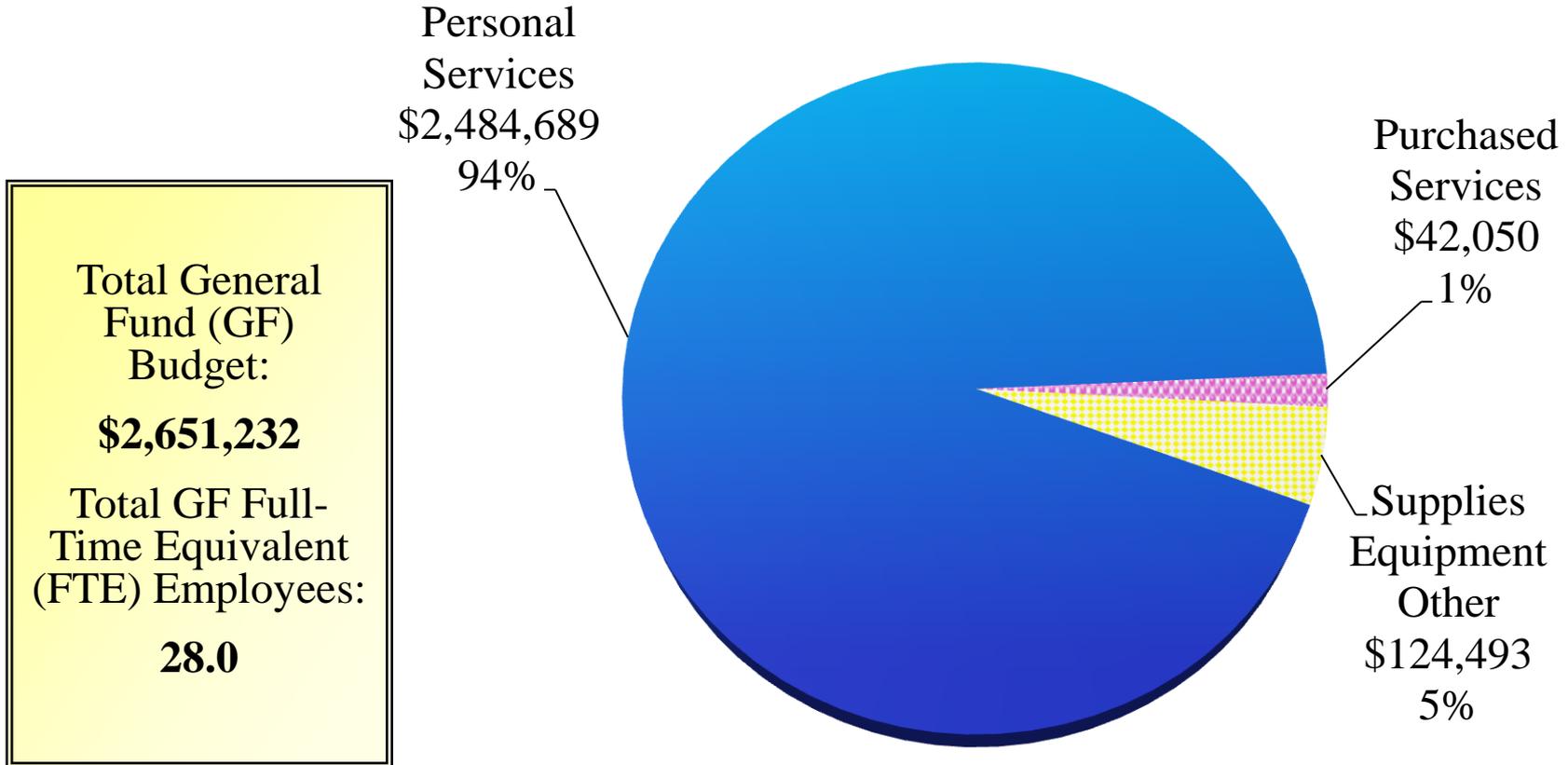
Total GF Full-
Time Equivalent
(FTE) Employees:

28.0

Source: NCIBIS, DOJ Worksheet I, 3/3/2015; FTE – BEACON B0149, 3/5/2015

FY 2015-16 Base Budget

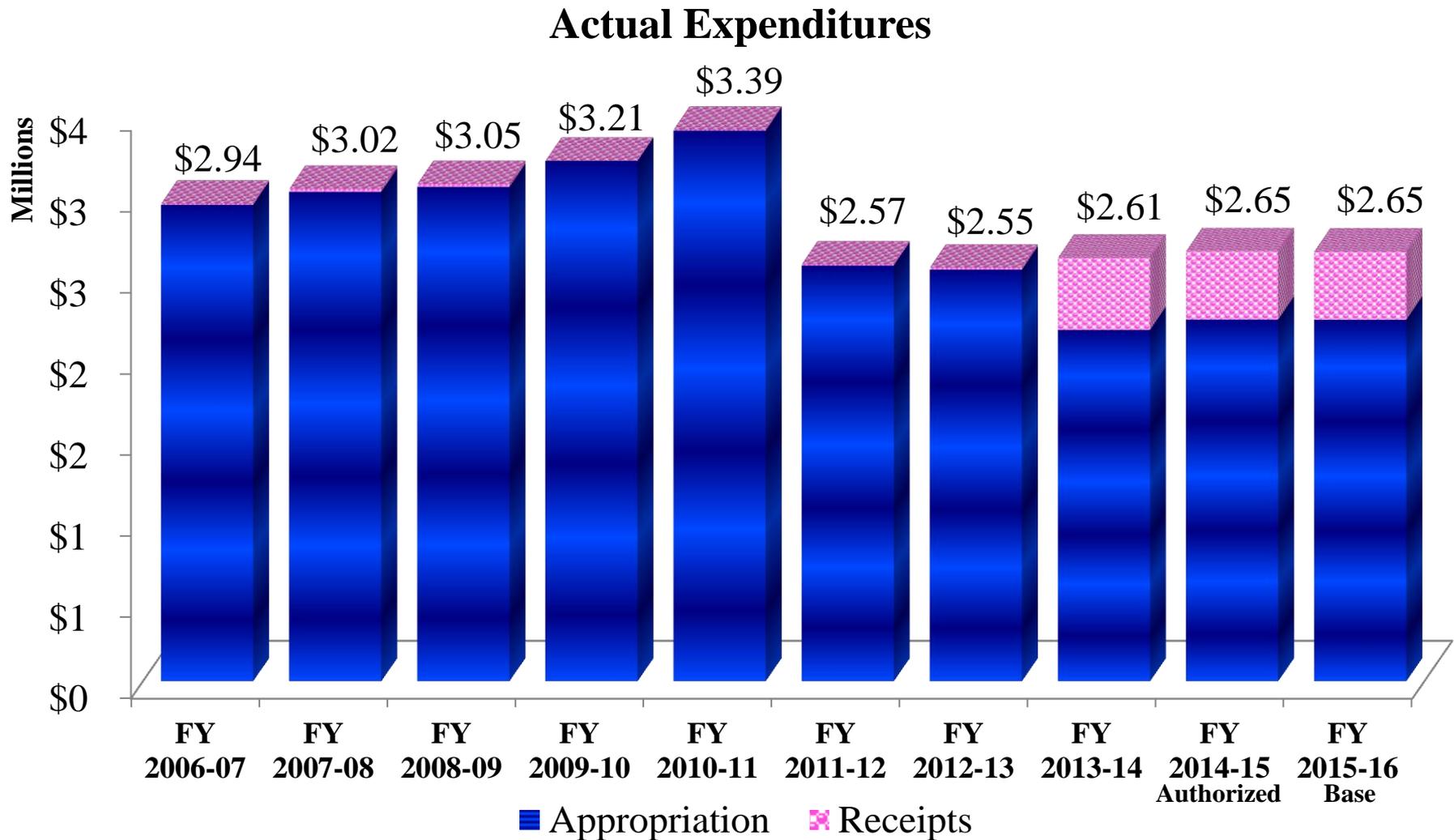
Administration* by Account



Source: NCIBIS, 3/3/2015

*Administration includes Fund Codes 1100 and 1991

Administration Budget History



Source: NCAS Budget History and Management Analysis, NCIBIS Worksheet I, 3/03/2015

Recent Budget Actions

2013 Budget (S.L. 2013-360)

Department-wide Management Flexibility Reserve	(\$1,700,000) R
Four positions shifted to receipt support	(\$259,310) R

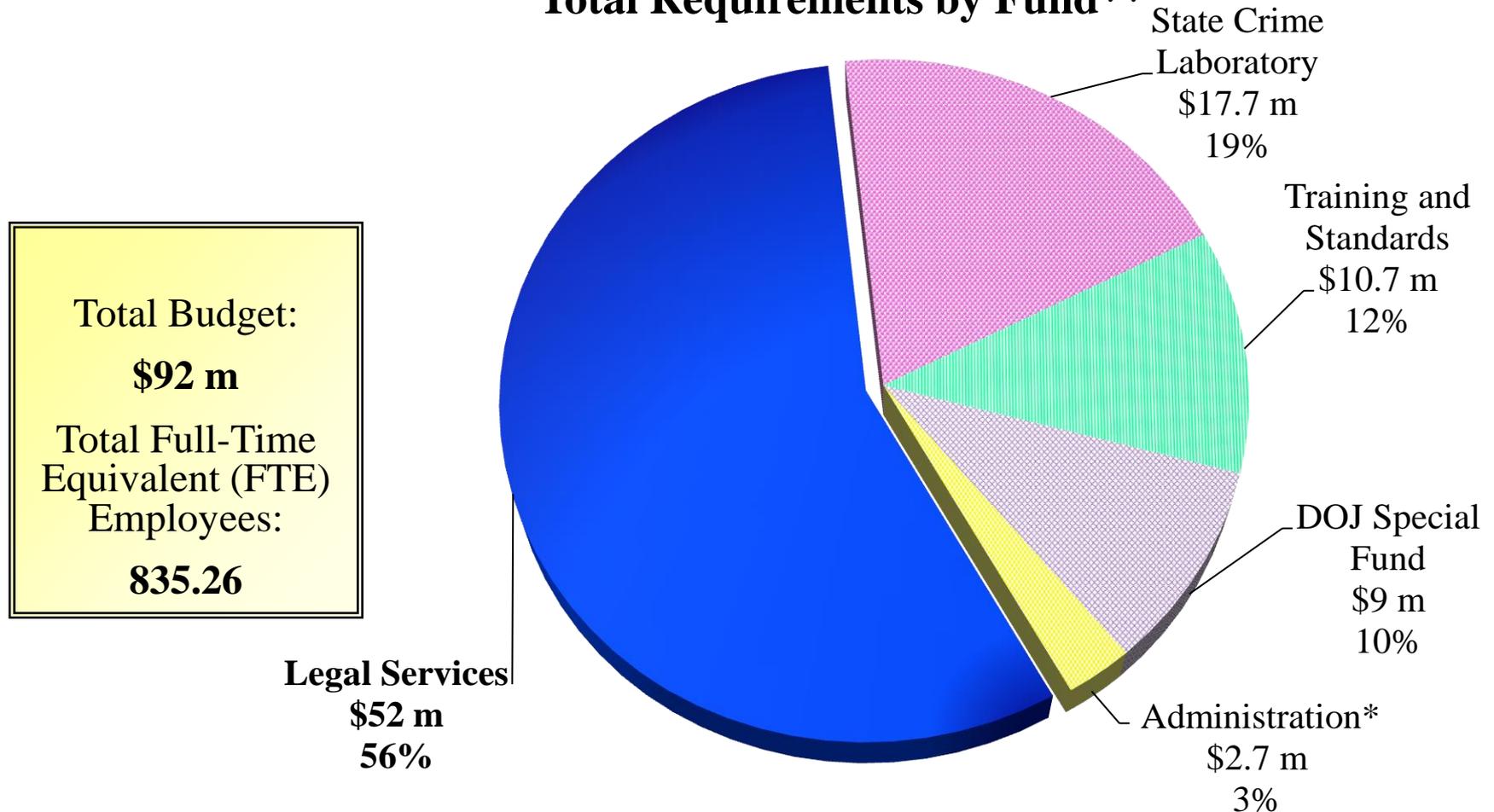
2014 Budget (S.L. 2014-100)

Department-wide Management Flexibility Reserve	(\$1,500,000) R
\$1,000 salary increase for all permanent FTE	\$989,918 R

Legal Services

FY 2015-16 Base Budget

Total Requirements by Fund**



Total Budget:
\$92 m
Total Full-Time Equivalent (FTE) Employees:
835.26

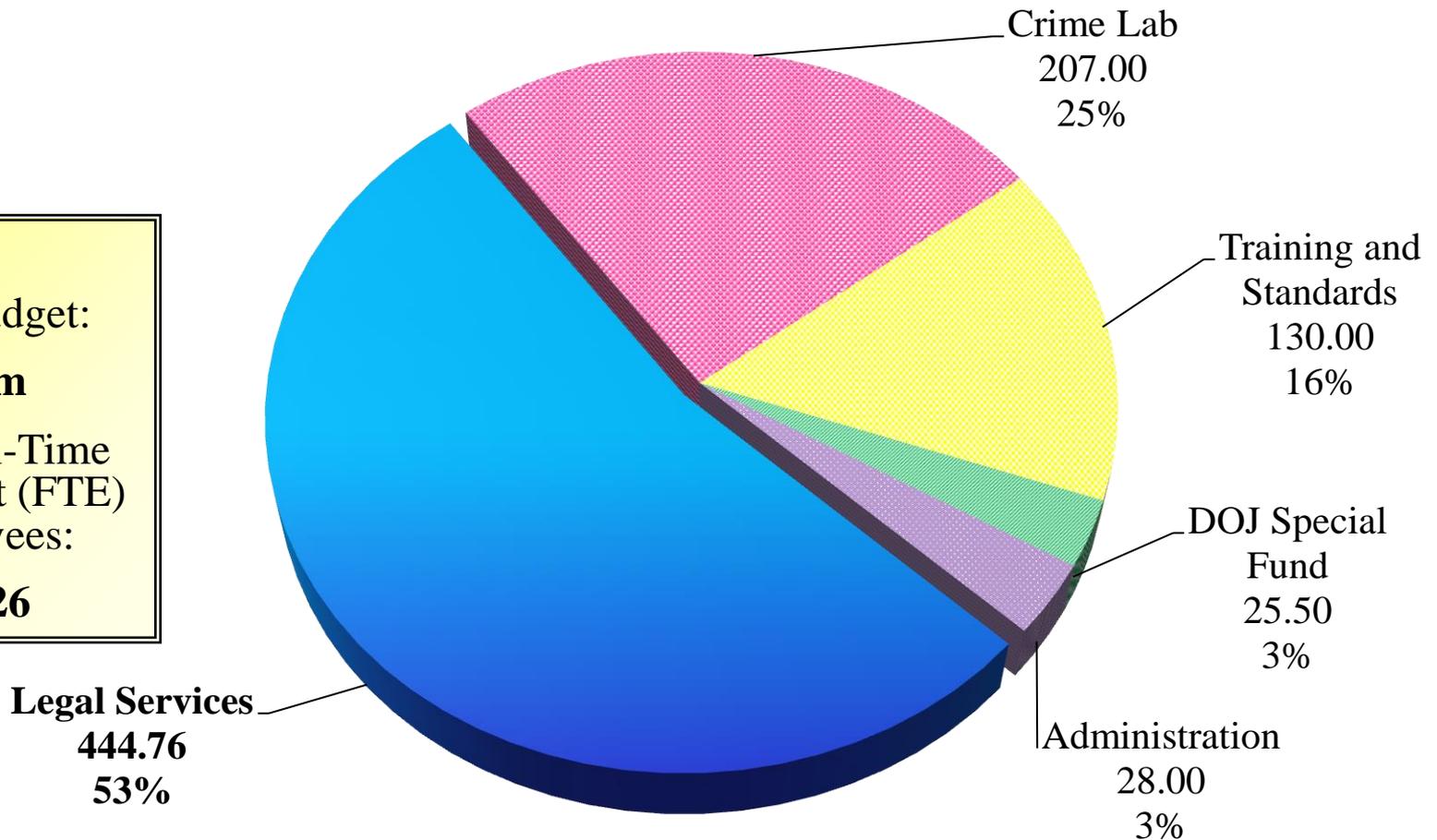
**Intergovernmental transactions have been adjusted to avoid double counting.

*Administration includes Fund Codes 1100 and 1991

Source: NCIBIS, DOJ Worksheet I, 3/3/2015; FTE – BEACON B0149, 3/5/2015

FY 2015-16 Base Budget

Total Budget:
\$92 m
Total Full-Time
Equivalent (FTE)
Employees:
835.26



Source: BEACON BO149, 03/05/2015

*Administration includes Fund Codes 1100 and 1991

Legal Services

G.S. 114-2 - Attorney General is responsible for:

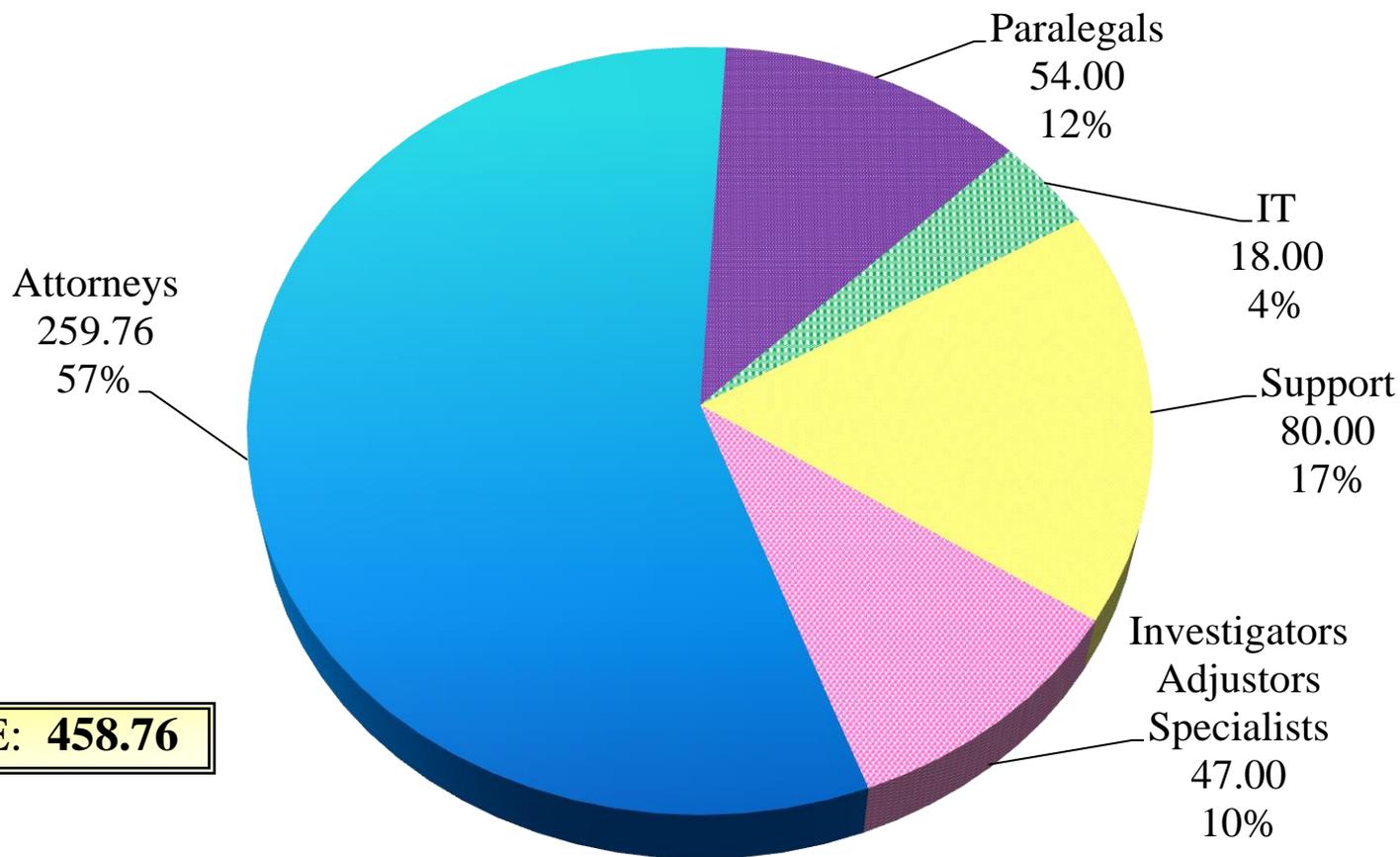
- Representing the State in all matters (civil and criminal)
- Providing representation and advice to all State agencies
- Providing consultation and advice to prosecutors

Legal Services Divisions

- Administrative
- Civil
- Consumer Protection
- Criminal
- Environmental
- Medicaid Investigations
- Special Litigation
- Office of the Solicitor General

Legal Services

Legal Services Positions



Total FTE: 458.76

Source: BEACON BO149, 03/05/2015

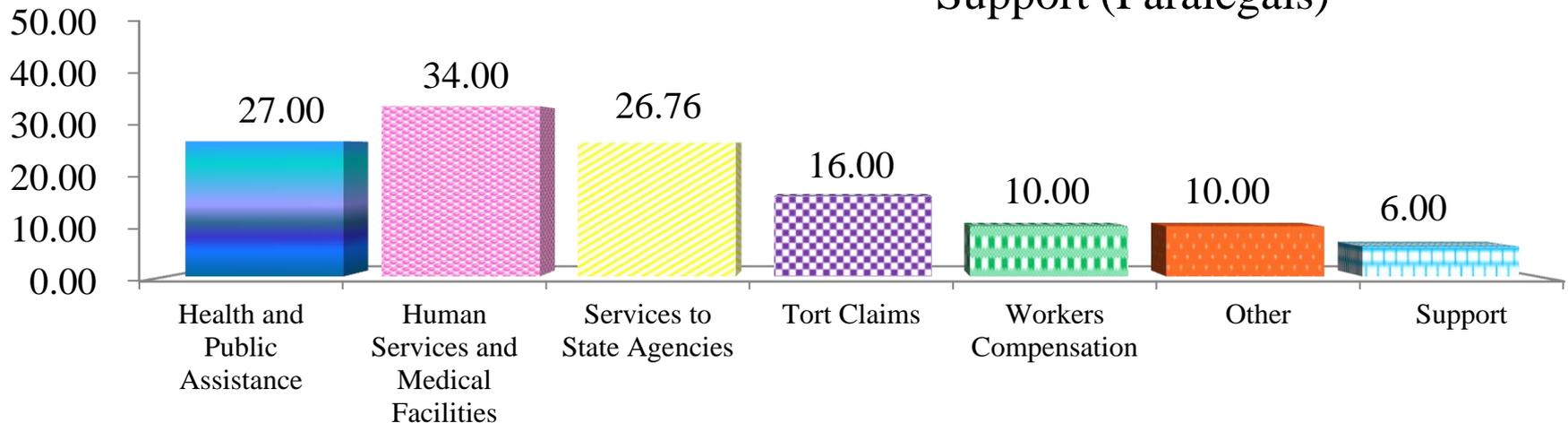
Administrative Division

Legal advice and representation to most State agencies

129.76 FTE

Sections:

- Public Health and Child Welfare
- Public Assistance
- Human Services and Medical Facilities
- Services to State Agencies
- Tort Claims
- Workers' Compensation
- Composite Litigation
- Support (Paralegals)



Source: BEACON BO149, 03/05/2015

Administrative Division

Services to Agencies

Statutorily Assigned:

- Revenue (G.S. 114-4)
- DOT (G.S. 114-4.2)
- Insurance (G.S. 114-4.2A)
- UNC Hospitals (G.S. 114-4.2B)
- Real Estate Commission (G.S. 114-4.2C)

Others

- Some agencies contract for positions
- State agencies billed for direct litigation costs (G.S. 114-8.2)
- Receipt supported boards and commissions pay for all legal services (G.S. 114-8.2)
- Itemized bills sent to agencies (G.S. 114-8.5)

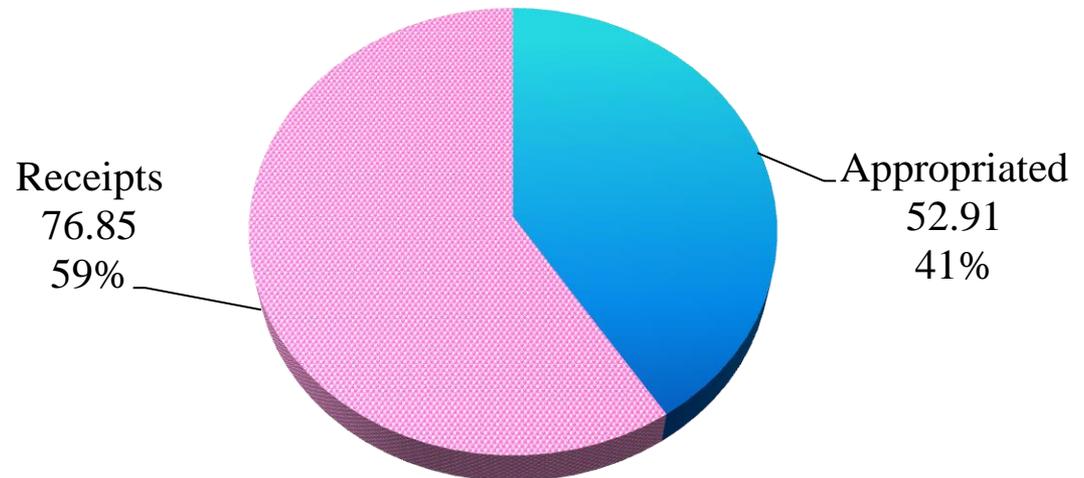
Outside attorneys must be approved by the AG (G.S. 114-2.3)

Administrative Division

Receipts

- Interagency transfers for services
- Tort claim funds from public schools

Administrative Division FTE by Source



Source: BEACON BO149, 03/05/2015

Civil Division

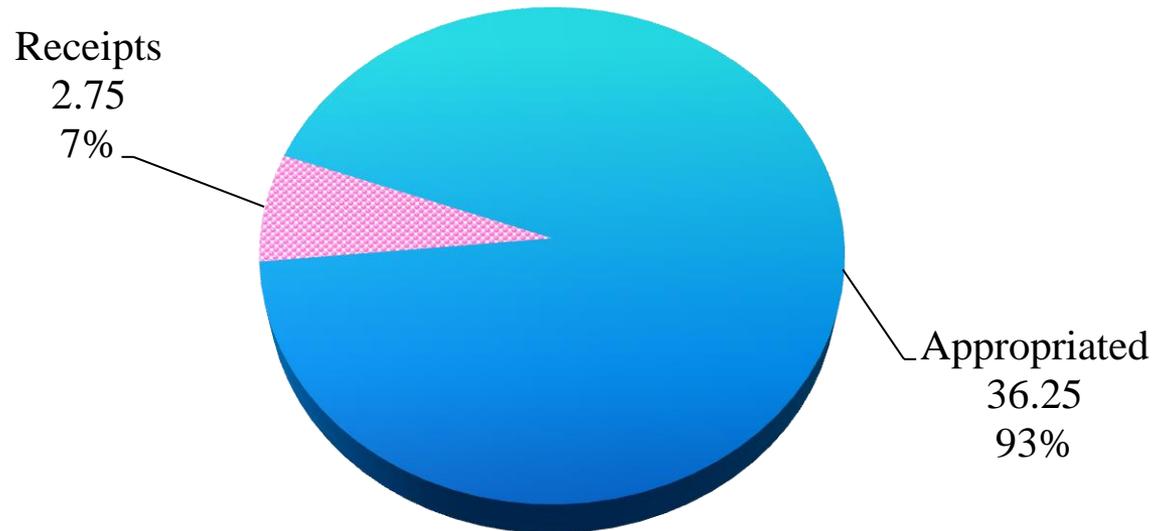
Civil claims and litigation involving the State, its officials or employees

39 FTE

Sections:

- Insurance
- Labor
- Property Control
- Revenue
- Transportation
- Motor Vehicles

Civil Division FTE by Source



Source: BEACON BO149, 03/05/2015

Consumer Protection Division

Protects the public from unlawful business practices

57 FTE

In FY 2013-14 Consumer Protection:

- Received 20,686 written consumer complaints
- Received 34,320 phone complaints or inquiries
- Generated approximately \$3.2 million in settlements

Entirely receipt supported



Source: BEACON, BO149, 03/05/2015; CP statistics - DOJ

Criminal Division

Criminal appeals, representation and advice related to law enforcement, and assistance in prosecuting some criminal cases

73.0 FTE

Sections:

- Public Safety
- Law Enforcement Liaison
- Special Prosecutions
- Criminal Appellate
- Capital Litigation/Federal Habeas

	2010	2011	2012	2013	2014
Criminal Appeals Briefs	760	778	773	687	635
Capital Cases	Unavailable	145	142	147	143
Federal Non-capital cases	58	116	106	136	135

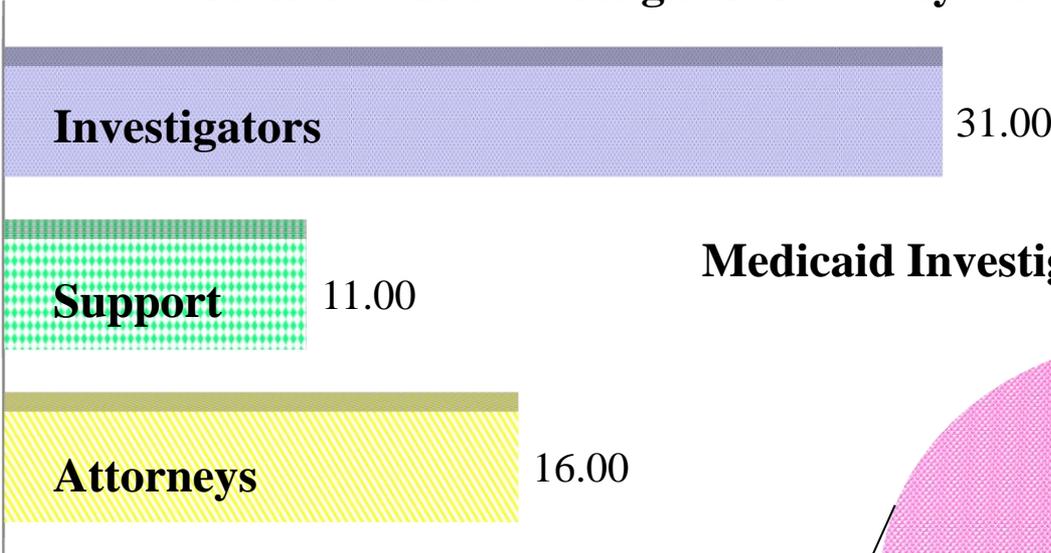
Source: BEACON, BO149, 03/05/2015; Case statistics - DOJ

Medicaid Investigations Division

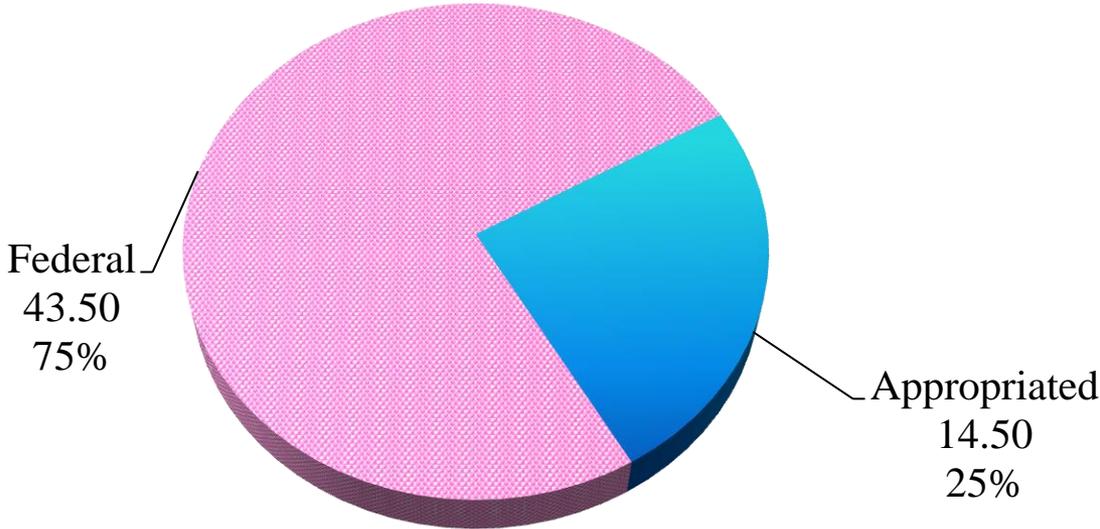
Investigates Medicaid fraud and abuse

58.0 FTE

Medicaid Fraud Investigations FTE by Role



Medicaid Investigations FTE by Source



Source: BEACON BO149, 03/05/2015

Medicaid Investigations Division

Medicaid Settlements are distributed to:

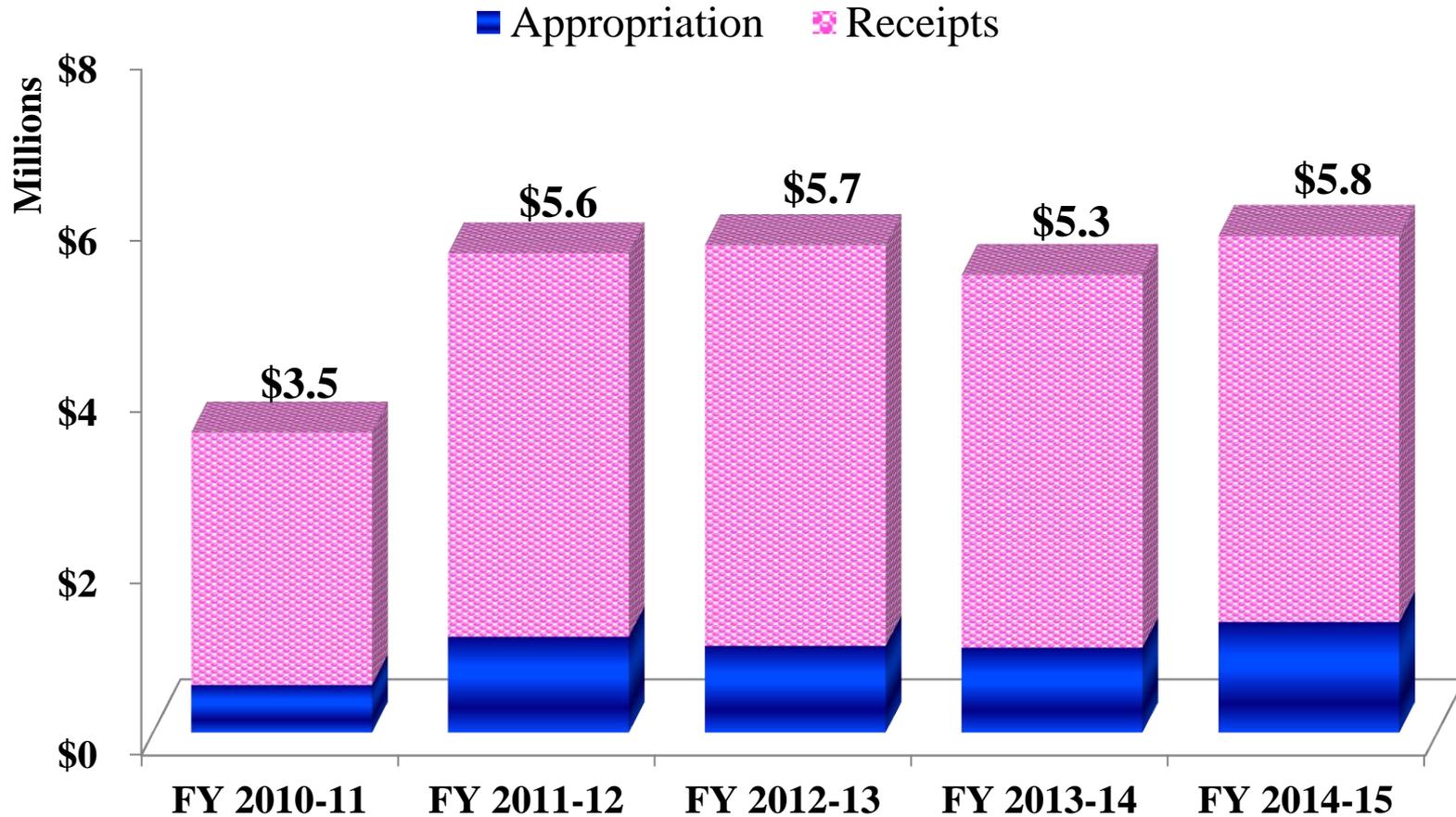
- Federal government
- State Medicaid Program
- Civil Fines and Forfeitures Fund (public schools)
- DOJ

	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Referrals	240	298	347	423
Investigations	289	374	502	561
Recoveries	\$38,659,712	\$48,794,392	\$52,701,055	\$55,768,753

Source: DOJ Medicaid Fraud Unit Annual Reports

Medicaid Investigations Division

Medicaid Fraud Budget by Source



Source: NCAS Budget History and Management Analysis

Certified

Other Divisions

Special Litigation Division (30.0 FTE)

Complex litigation in which the public has a vital stake. Sections include Special Litigation and Education.

Office of Solicitor General (3.0 FTE)

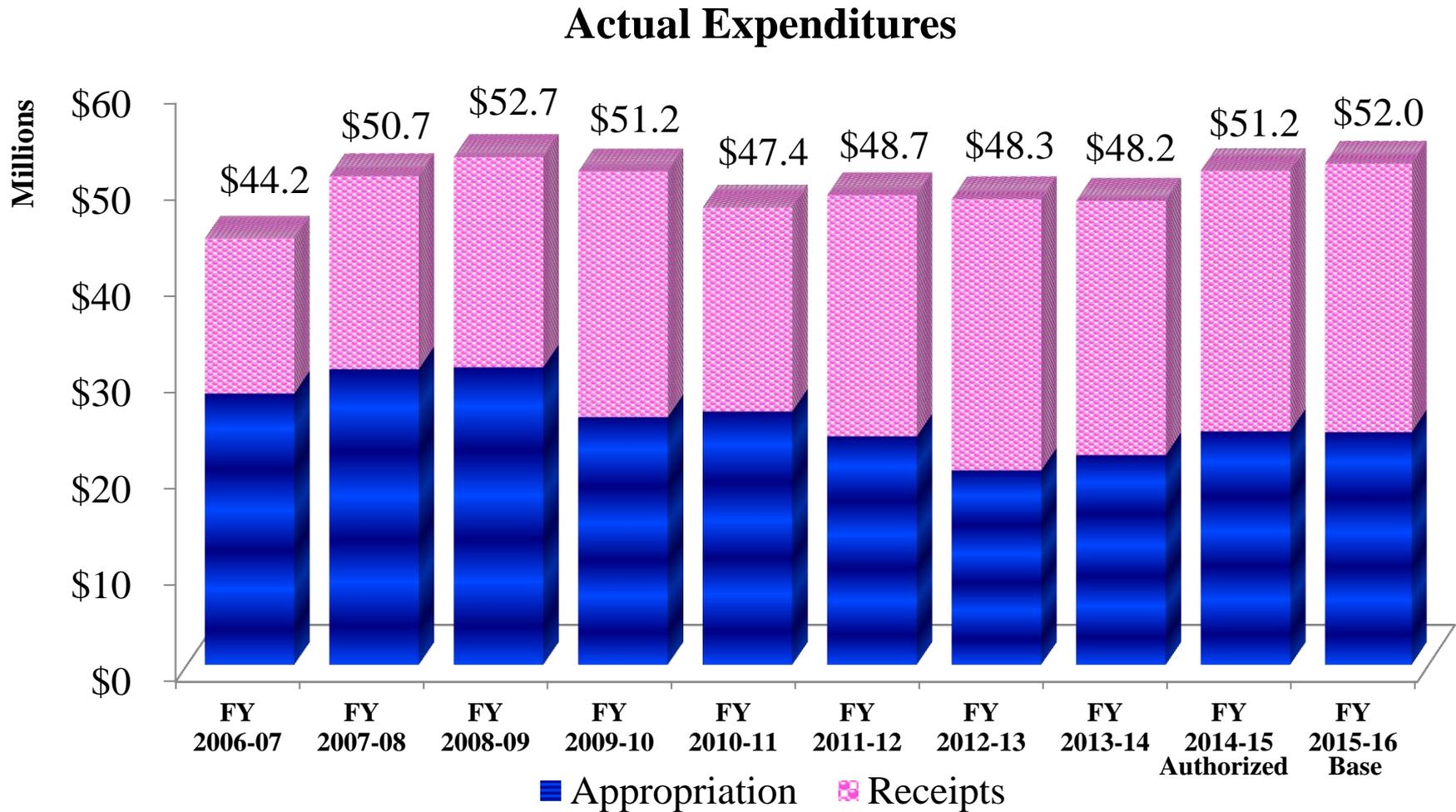
Represents the State before the Supreme Court

Environmental Division (43.0 FTE)

Advises and represents DENR, and investigates and prosecutes environmental criminal and civil actions. Sections include Air and Natural Resources, Waste Management, and Water and Land

Source: BEACON BO149, 03/05/2015

Legal Services Budget History

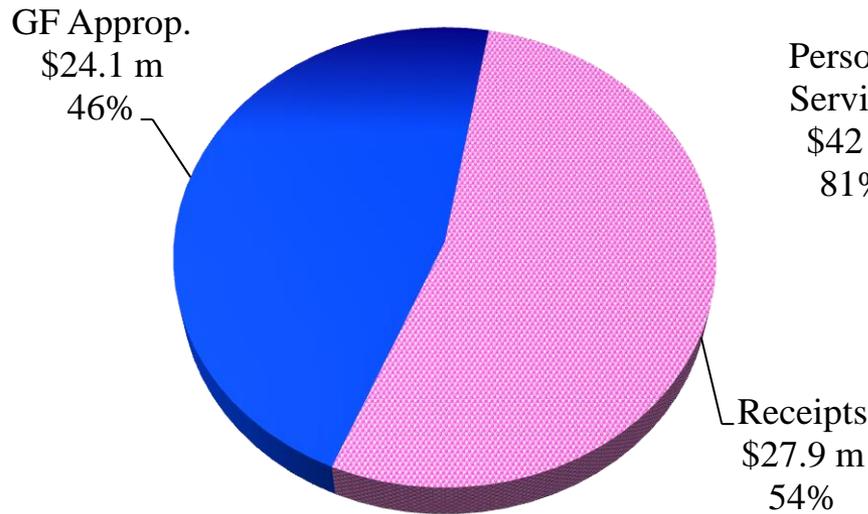


Source: NCAS Budget History and Management Analysis

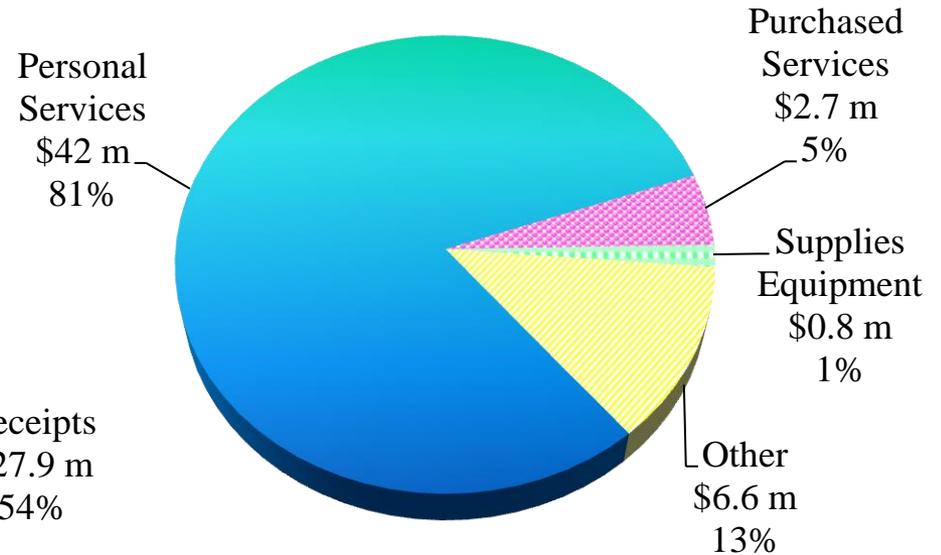
FY 2015-16 Base Budget

Total General Fund (GF) Requirements: **\$51,996,584**
 Total GF Full-Time Equivalent (FTE) Employees: **444.76**

Legal Services by Source



Legal Services by Account



Source: NCIBIS, DOJ Worksheet I, 3/3/2015; FTE – BEACON B0149, 3/5/2015

Recent Budget Actions

2013 Budget (S.L. 2013-360)

Department-wide Management Flexibility Reserve (\$1,700,000) R

Three positions shifted from receipt support \$244,661 R

- **Sec. 17.1** requires an annual report on attorney activity
- **Sec. 17.8**, as amended by S.L. 2013-363, transferred 19 receipt supported attorney positions to the agencies they served.

2014 Budget (S.L. 2014-100)

Department-wide Management Flexibility Reserve (\$1,500,000) R

\$1,000 salary increase for all permanent FTE \$989,918 R

Transfer to NCGA Litigation Reserve (\$300,000) NR

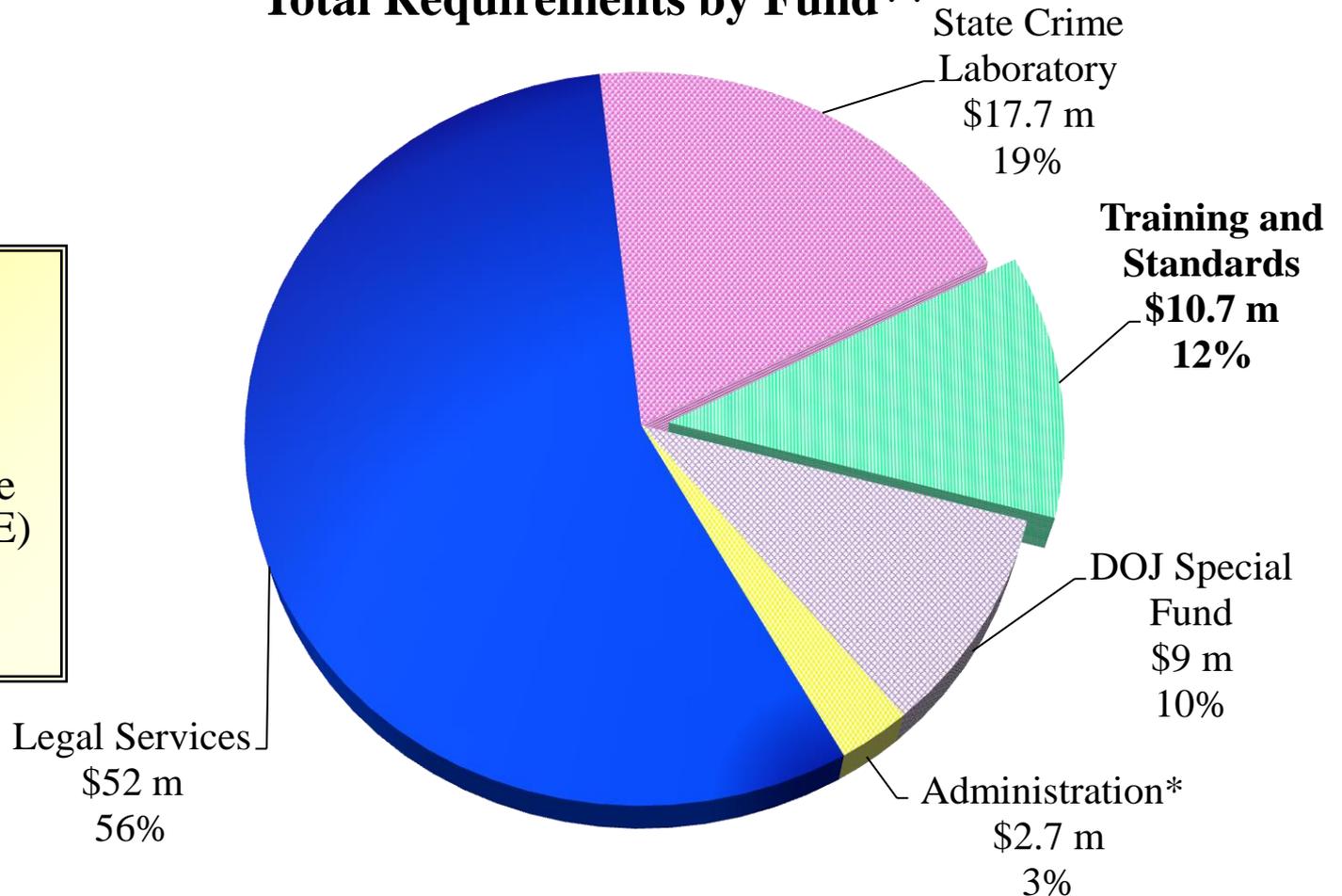
Training and Standards



FY 2015-16 Base Budget

Total Requirements by Fund**

Total Budget:
\$92 m
 Total Full-Time
 Equivalent (FTE)
 Employees:
835.26

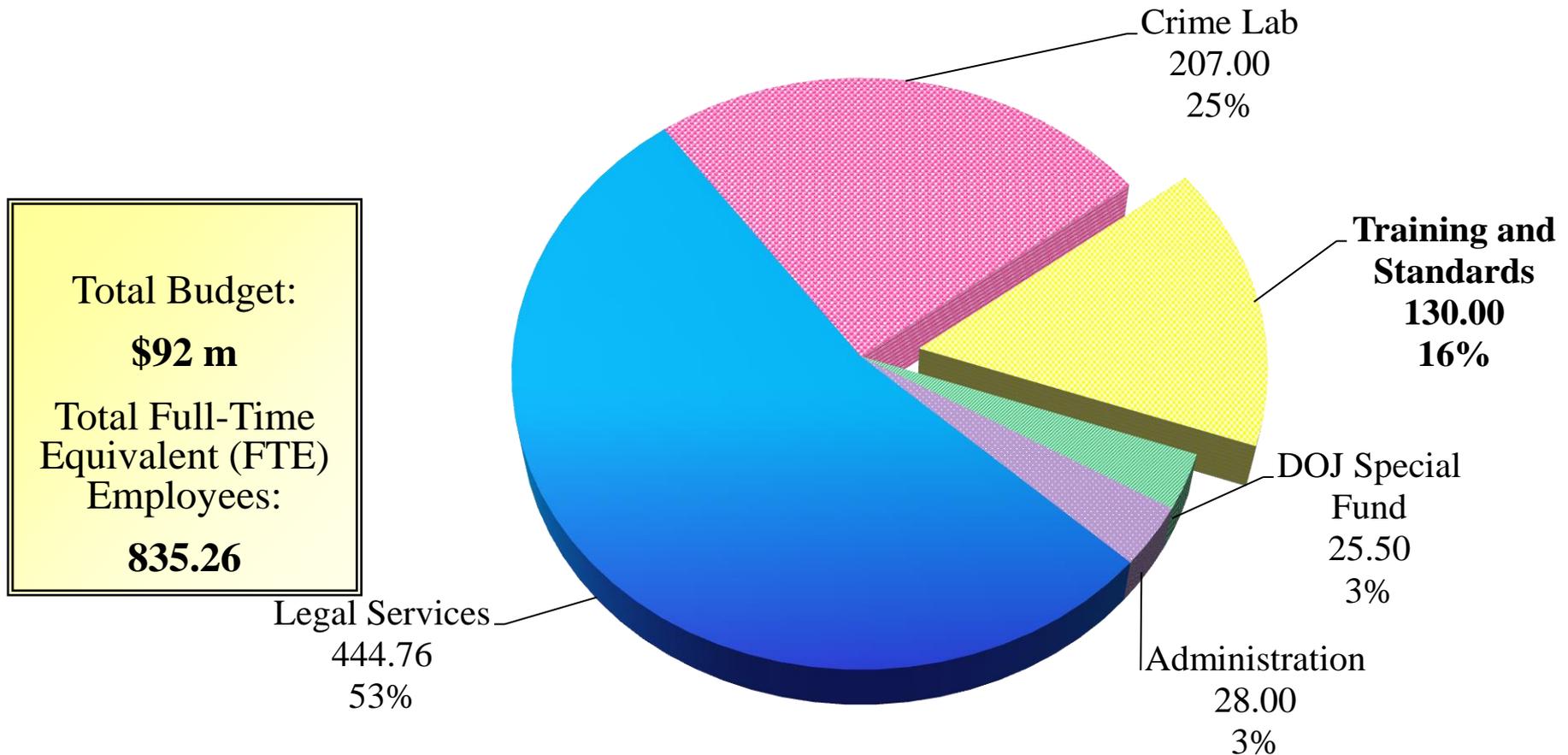


**Intergovernmental transactions have been adjusted to avoid double counting.

*Administration includes Fund Codes 1100 and 1991

Source: NCIBIS, DOJ Worksheet I, 3/3/2015; FTE – BEACON B0149, 3/5/2015

FY 2015-16 Base Budget



Source: FTE – Beacon BO149 3/5/2015

*Administration includes Fund Codes 1100 and 1991

Law Enforcement Training and Standards

Three Sections:

- Criminal Justice Training and Standards Commission
- Sheriffs' Education and Training Standards Commission
- NC Justice Academy

Provides certification and training for all criminal justice officers in the State:

- Deputy Sheriffs
- Police
- Detention Officers
- Telecommunicators
- Correctional officers
- Probation officers
- Juvenile justice officers
- Juvenile justice court counselors

Total FY 2015-16 Base
Budget:

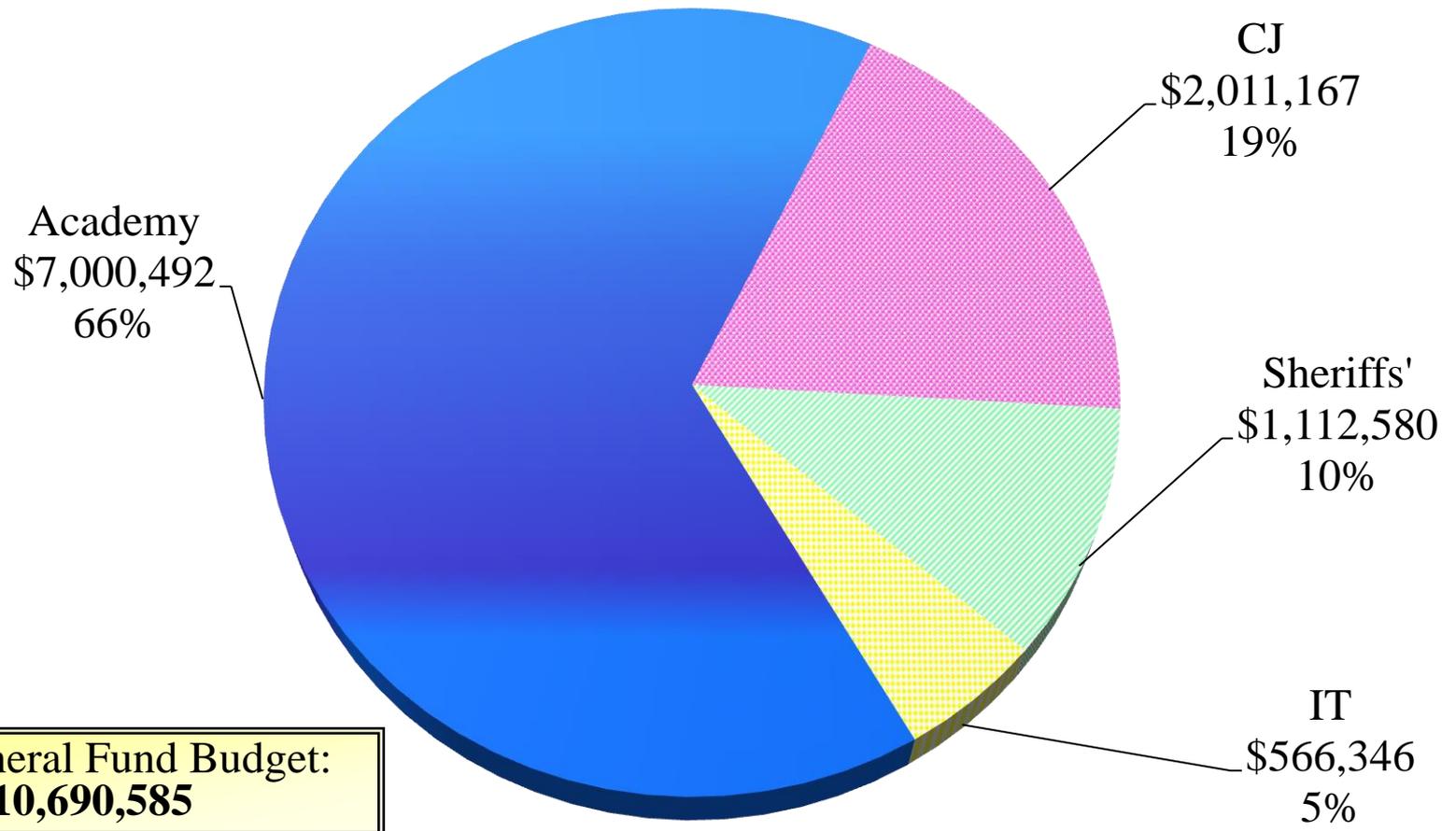
\$12.3 m

Total FTE:

136.50

Training and Standards

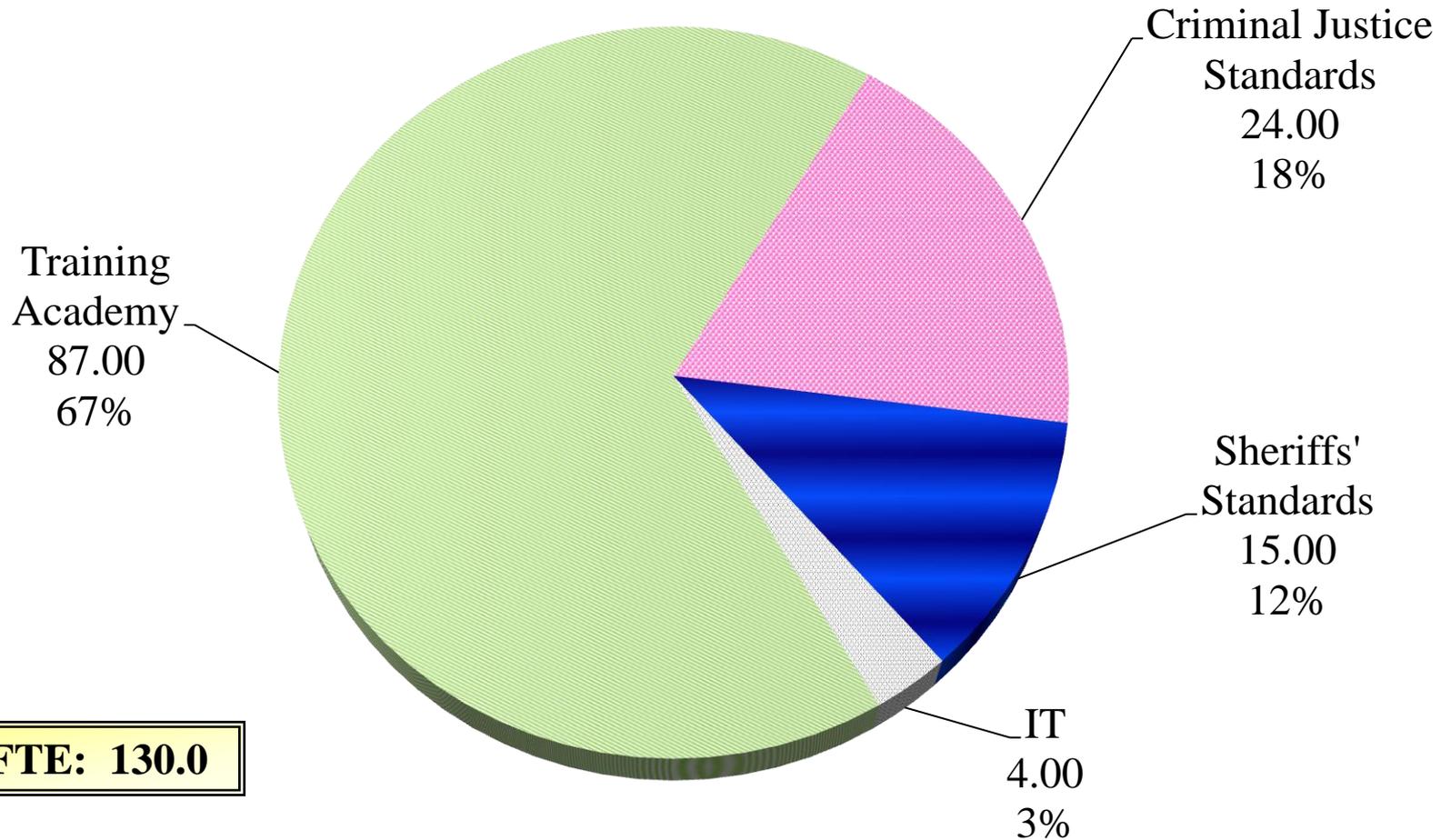
FY 2014-15 Authorized General Fund Budget by Section



Source: NCAS

Training and Standards

General Fund Positions by Function



Total FTE: 130.0

Source: BEACON, BO149, Run Date 03/05/2015

Criminal Justice Education & Training Standards Commission

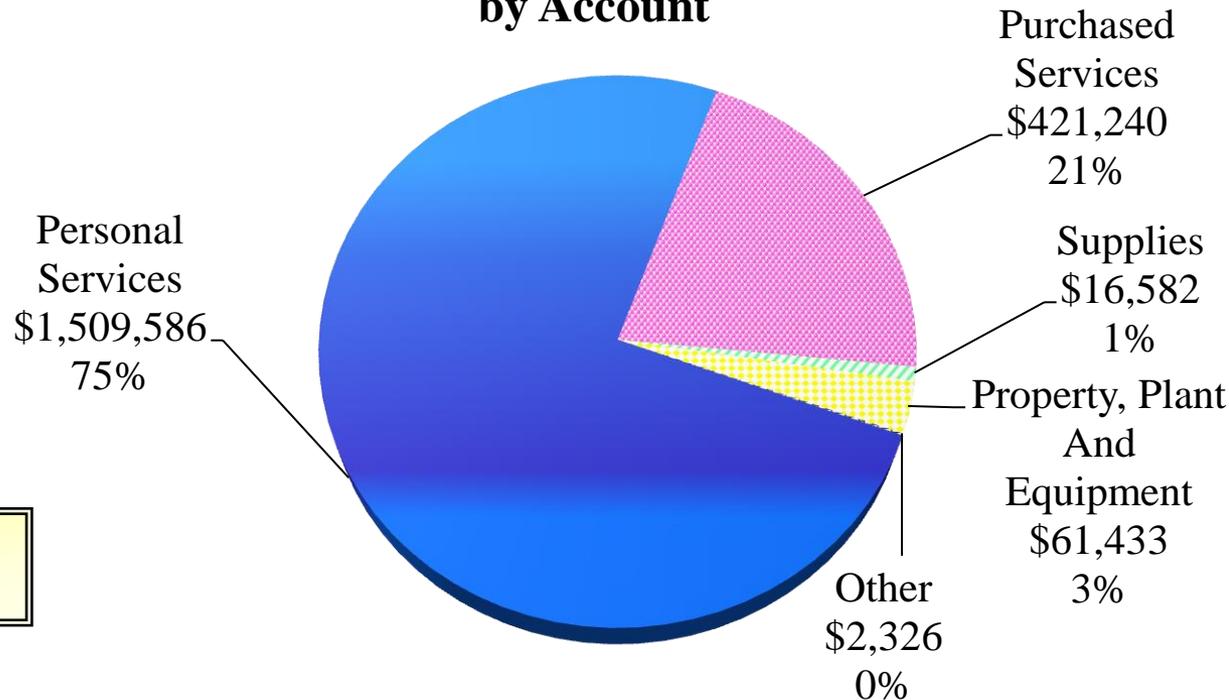
Established in 1971 – G.S. 17C

24 FTE

Commission:

- 31 members
- Four meetings per year

FY 2014-15 Authorized General Fund Budget by Account



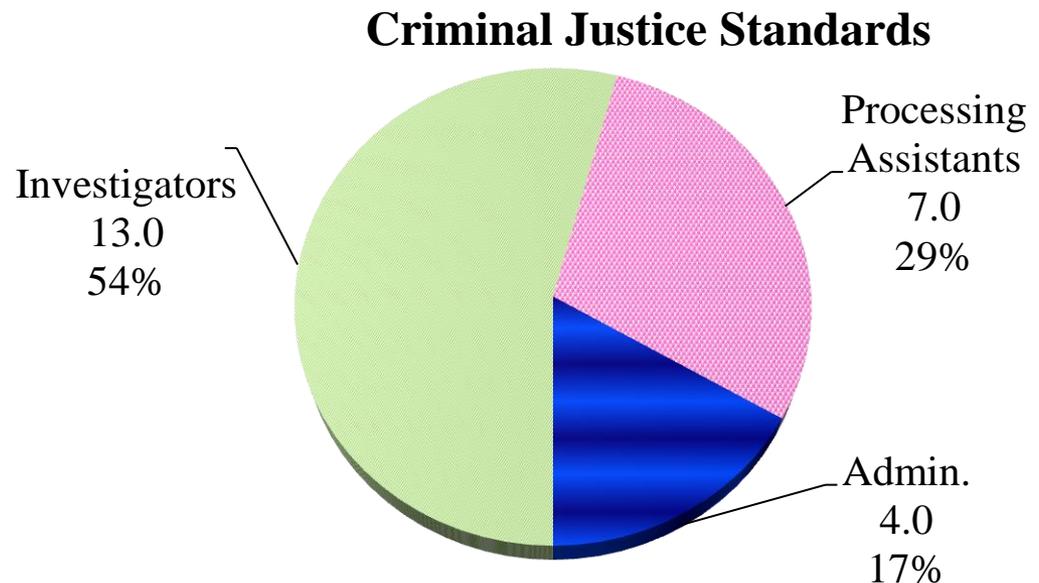
Total General Fund Budget:
\$2,011,167

Source: NCAS; FTE – BEACON BO149, 03/05/2015

Criminal Justice Education & Training Standards Commission

Powers (G.S. 17C-6(a)):

- Establish minimum standards
- Certify, recertify, suspend, revoke, or deny certification
- Investigate and evaluate compliance
- Establish standards for annual firearms certification for retired officers



Source: BEACON, BO149, Run Date 03/05/2015

Sheriffs' Education & Training Standards Commission

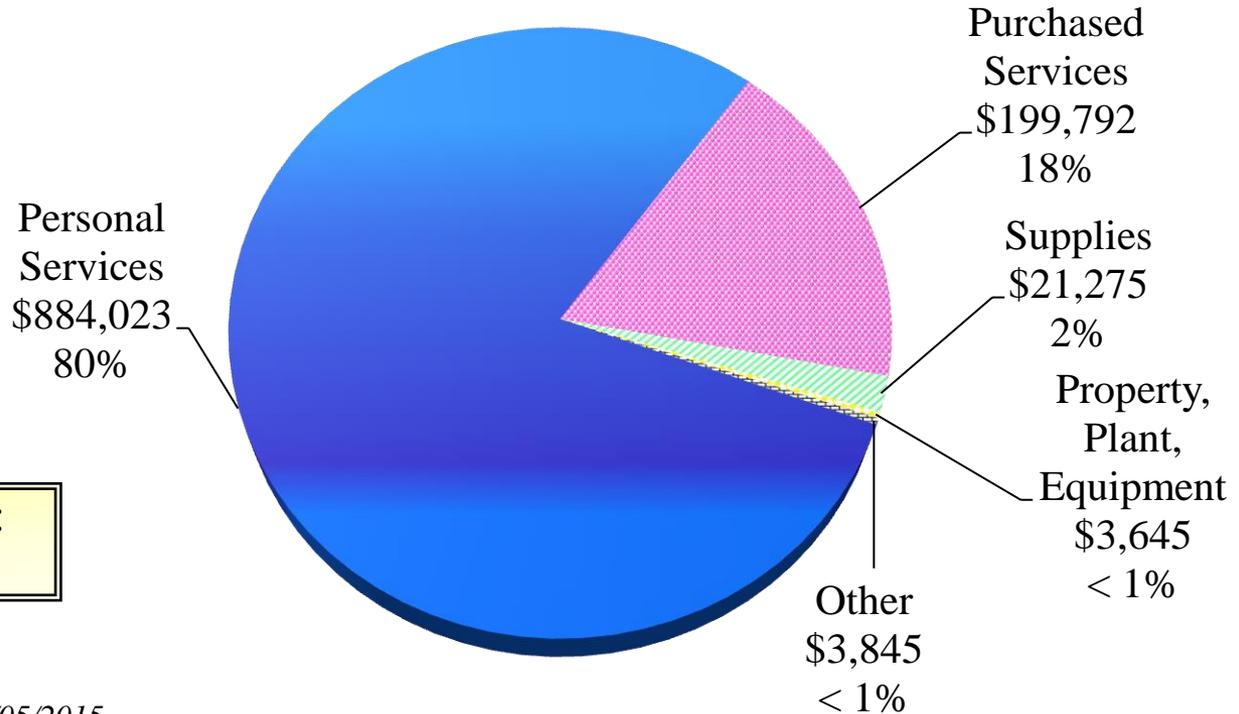
Established in 1983 – G.S. 17E

15 FTE

Commission:

- 17 members
- Four meetings per year

FY 2014-15 Authorized General Fund Budget by Account



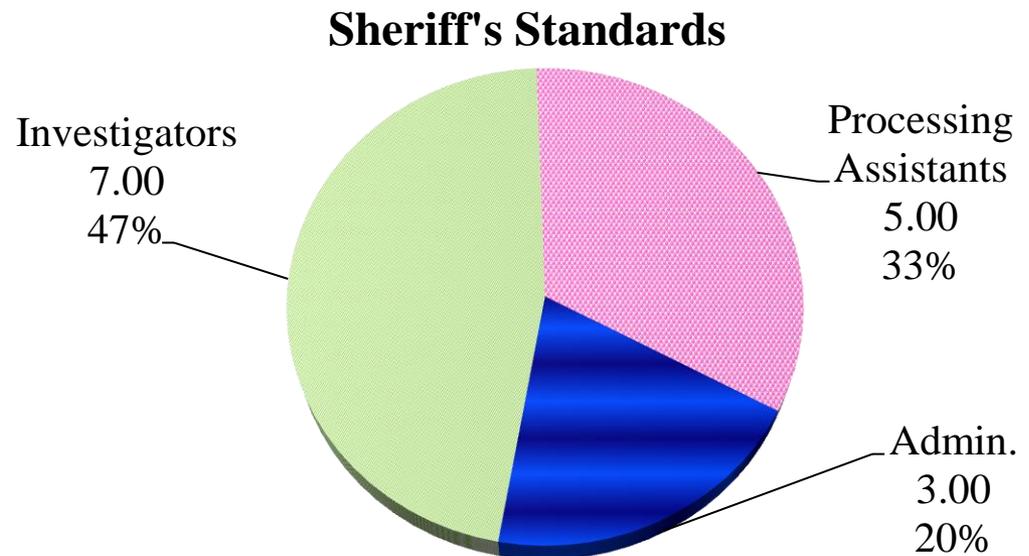
Total General Fund Budget:
\$1,112,580

Source: NCAS; FTE – BEACON BO149, 03/05/2015

Sheriffs' Education & Training Standards Commission

Powers (G.S. 17E-4(a)):

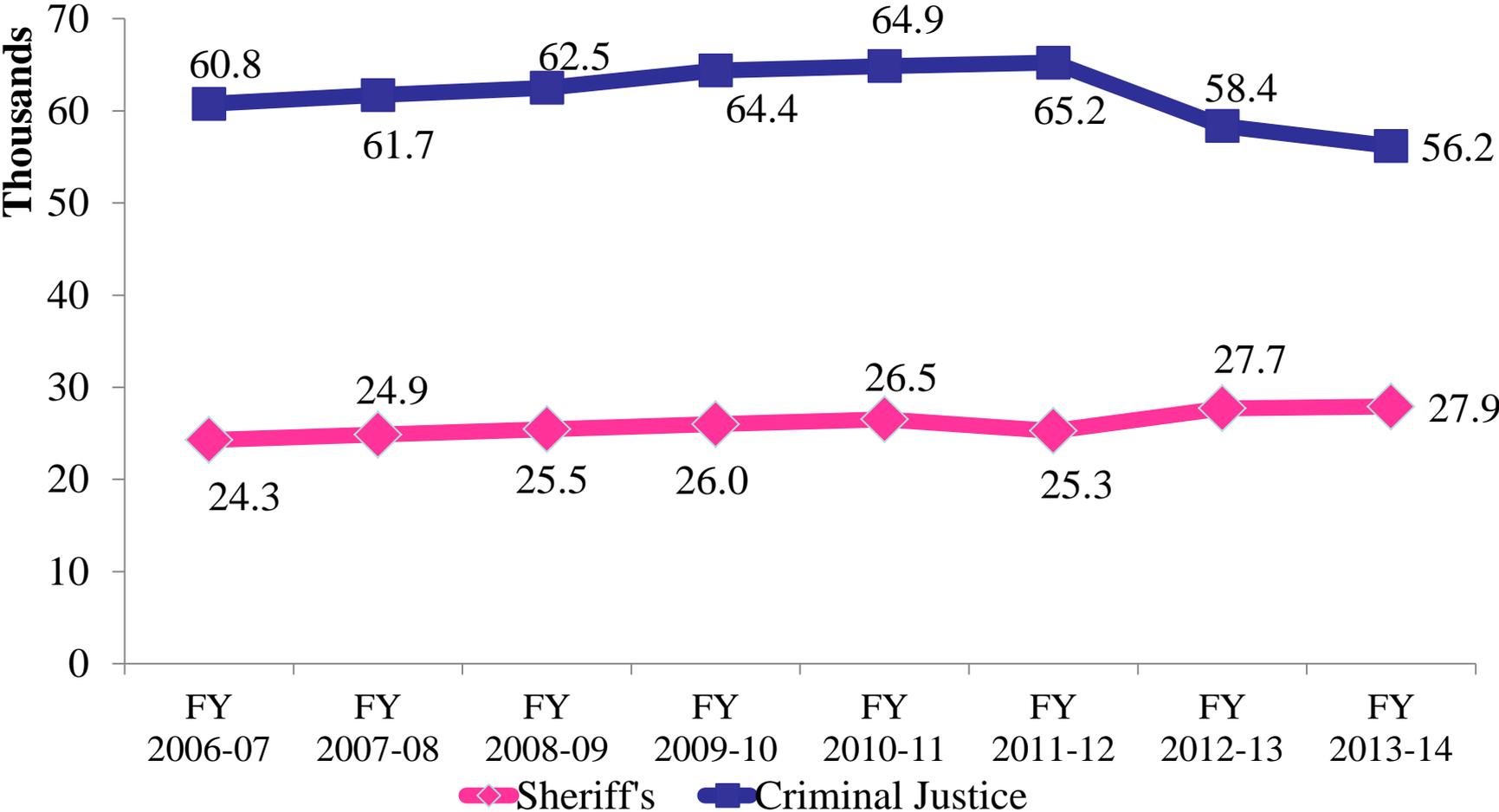
- Establish minimum standards for justice officers
- Certify, recertify, suspend, revoke, or deny certification
- Investigate and evaluate compliance
- Establish standards for annual firearms certification for retired officers



Source: BEACON, BO149, Run Date 03/05/2015

Certified Law Enforcement

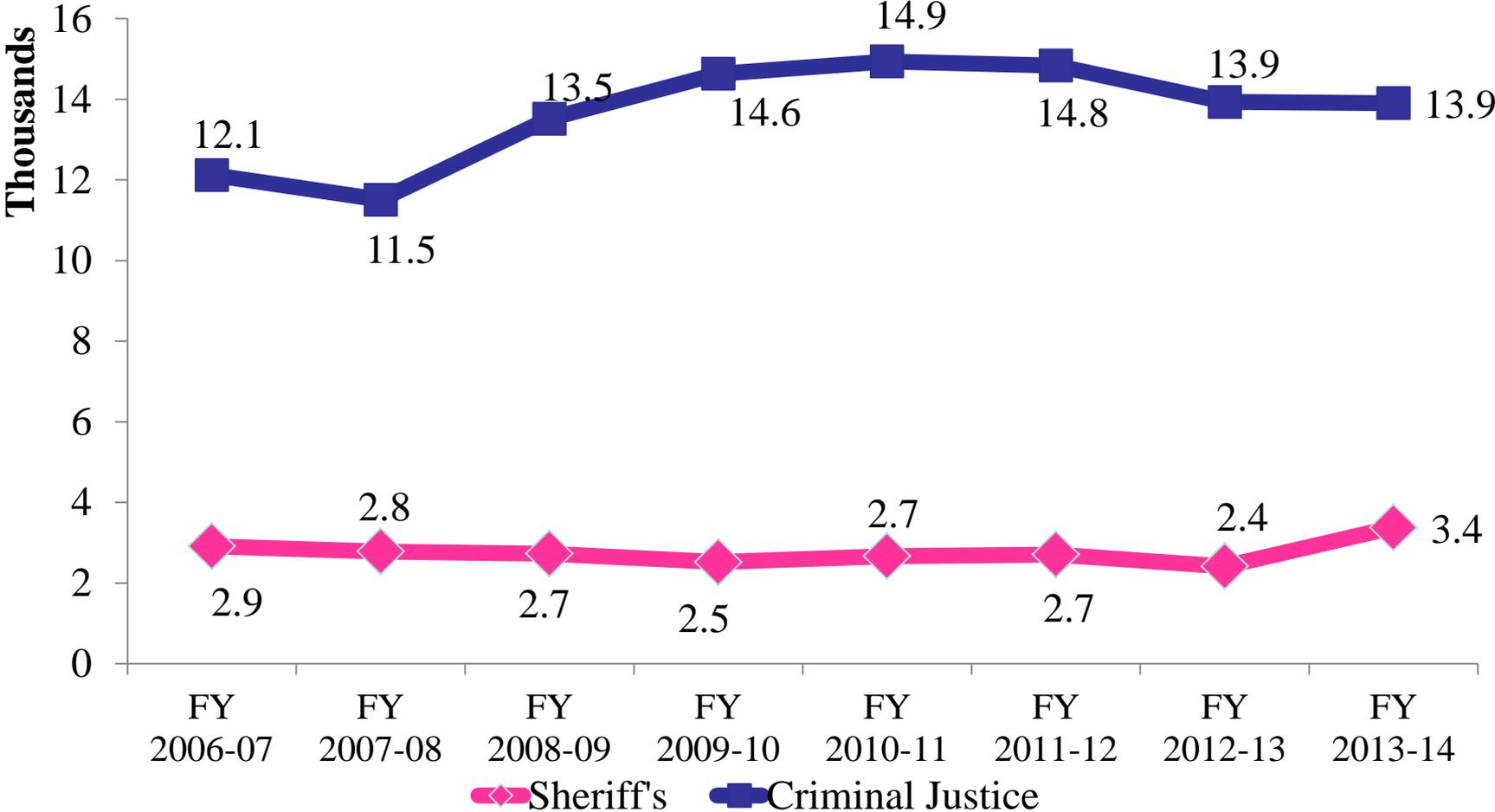
Total Law Enforcement Certifications Issued



Source: DOJ

Certified Law Enforcement

New Law Enforcement Certifications Issued



Source: DOJ

Commissions' Receipts

Court Fees (G.S. 7A-304(a)(3a-3b))

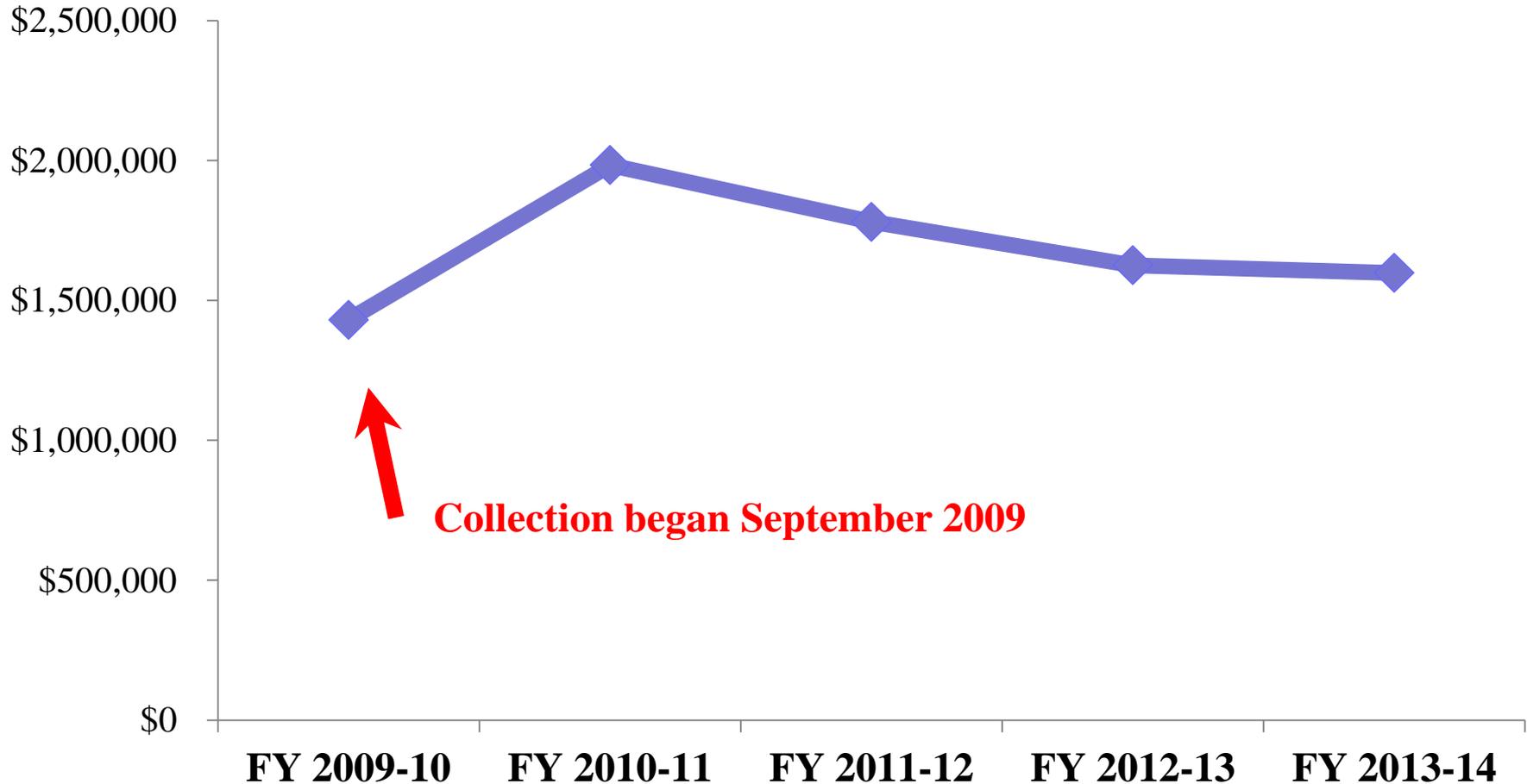
- \$1.25 for Sheriffs' Supplemental Pension Fund
- \$2.00 for CJ Standards services, staffing, and operations

Concealed Weapon Trainer Certification (G.S. 14-415.12; 12 NCAC 09F.0107)

Company Police Certification (G.S. 74E-12)

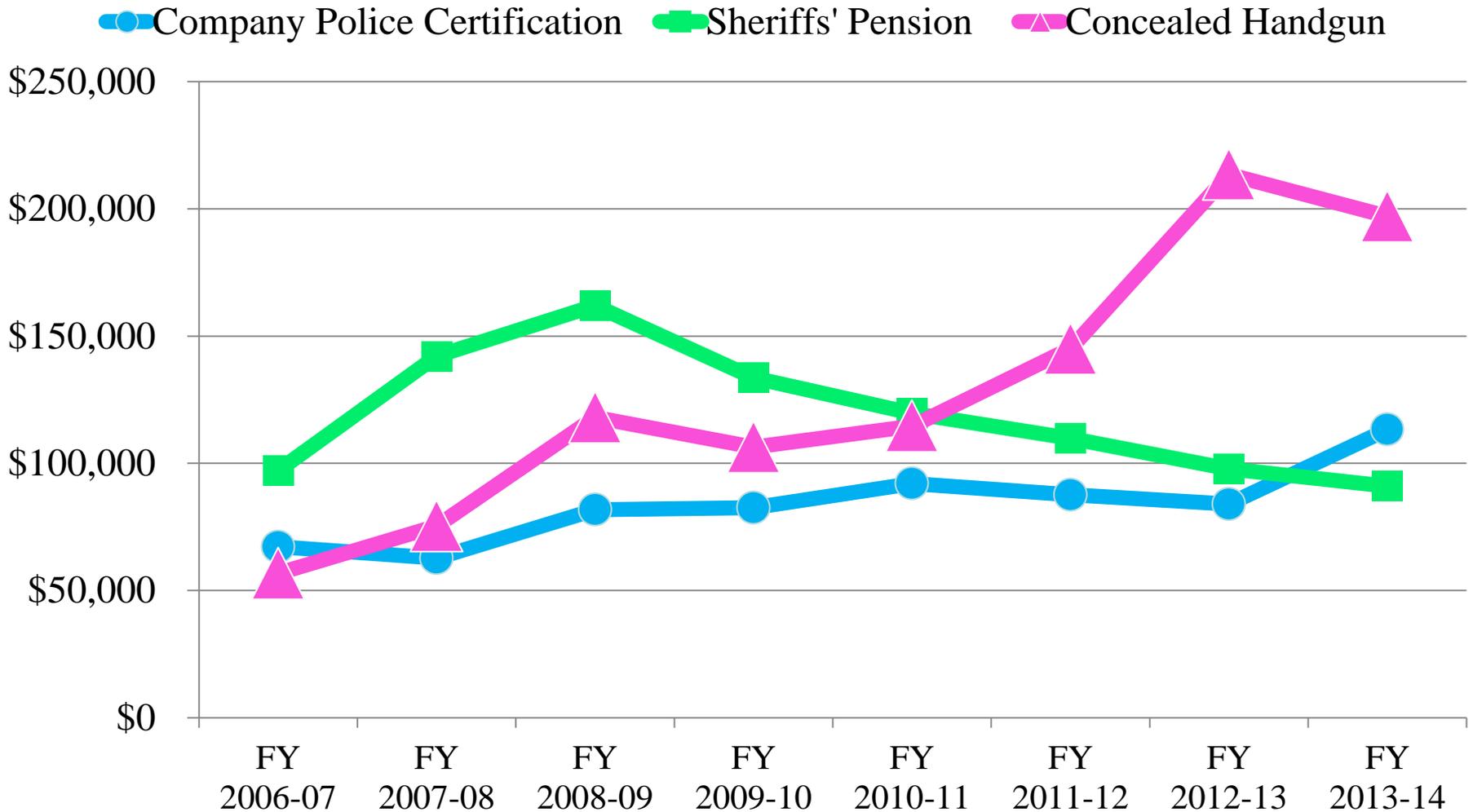
Commissions' Receipts

Court Fees (AOC)



Source: AOC

Commissions' Receipts



Source: NCAS

NC Justice Academy

Established in 1973 – G.S. 17D

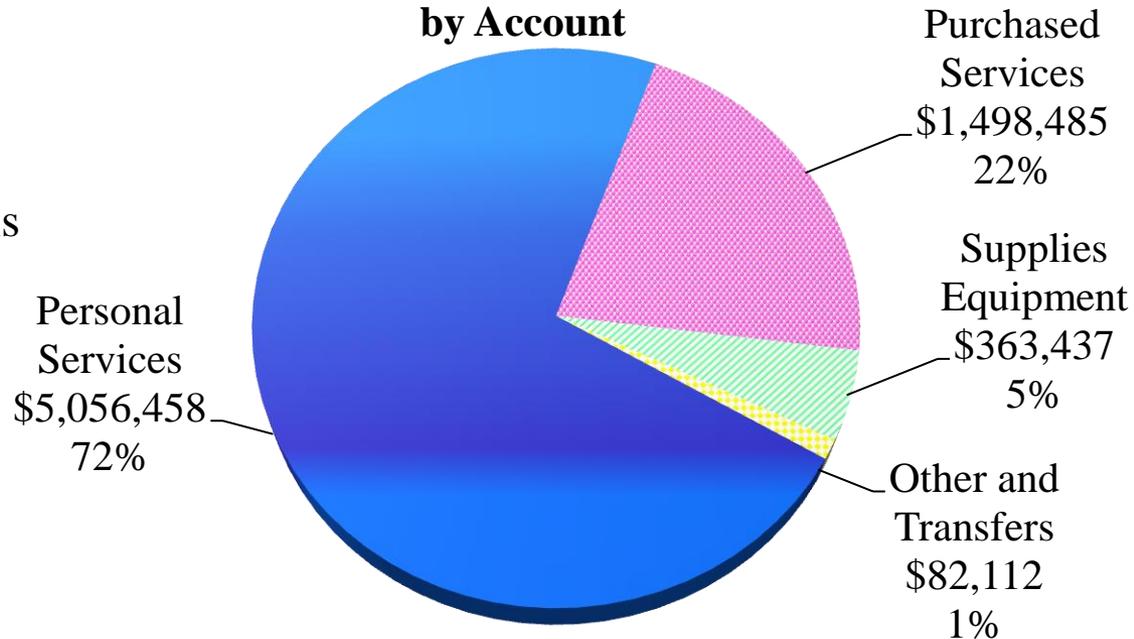
87 FTE

Salemburg Campus and Edneyville Campus

Provide:

- Advanced law enforcement training
- In-service training
- Course development
- Educational and training materials

**FY 2014-15 Authorized General Fund Budget
by Account**

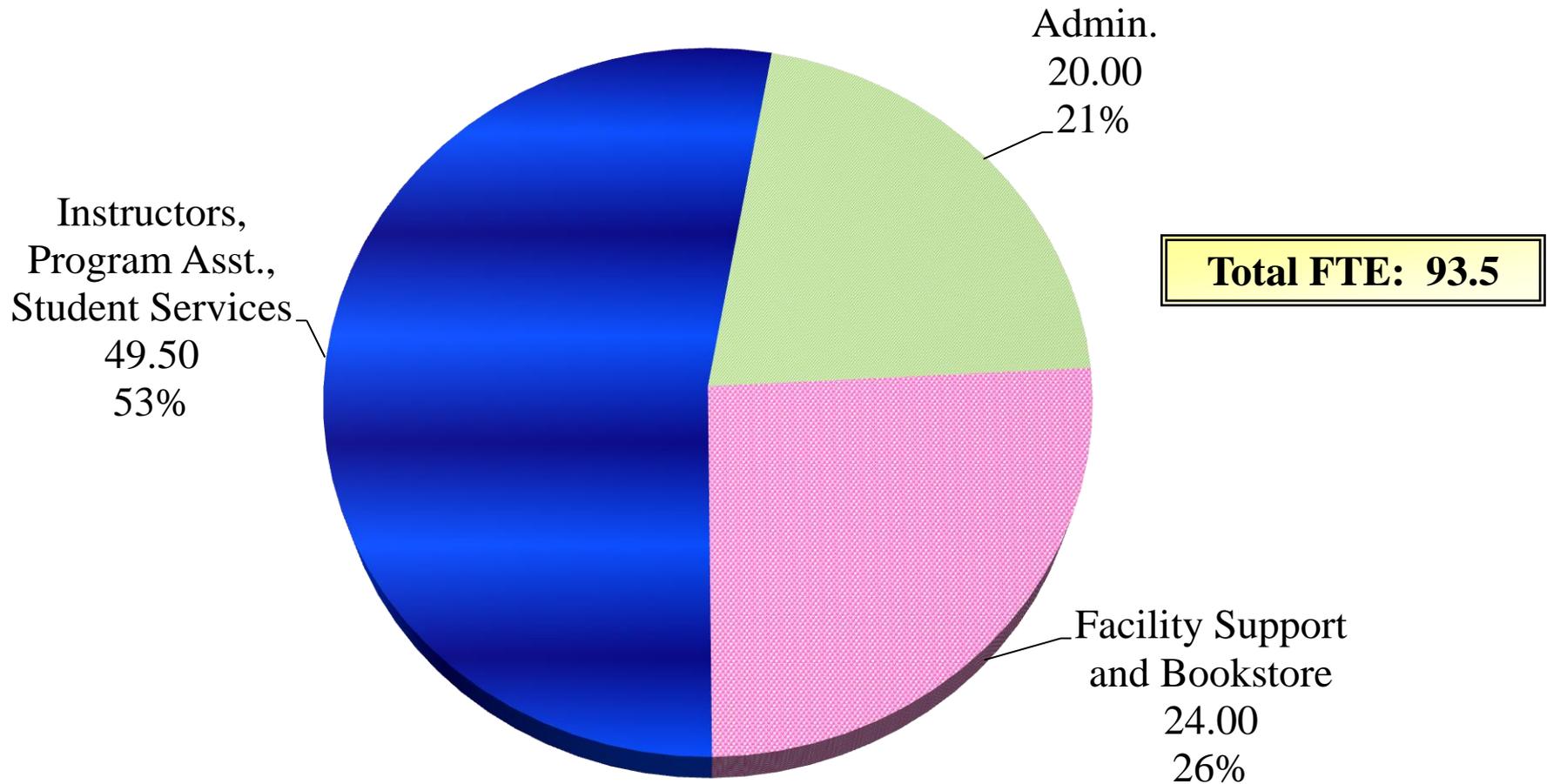


**Total General Fund Budget:
\$7,000,492**

Source: Budget - NCAS; FTE – BEACON BO149, 03/05/2015

NC Justice Academy

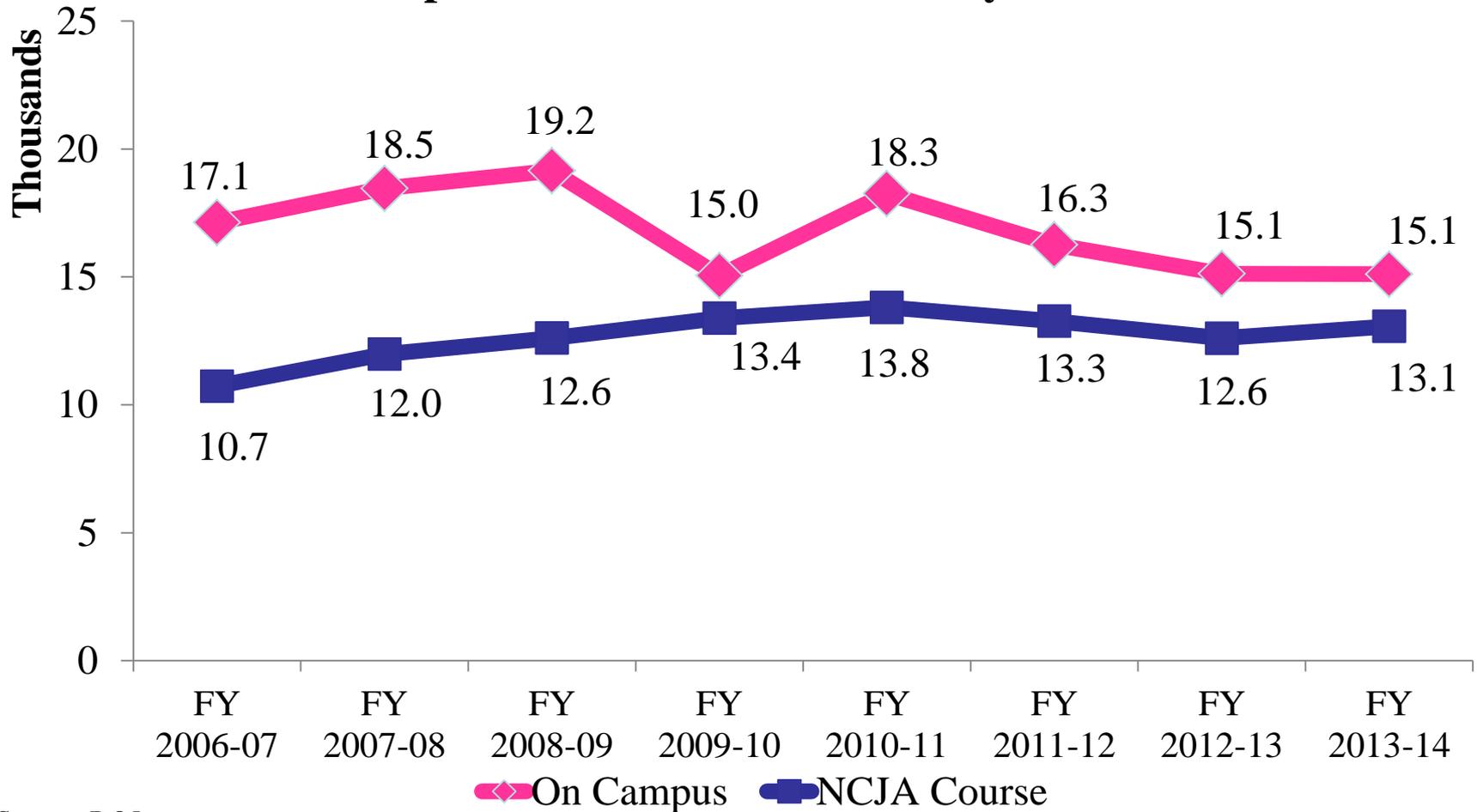
Justice Academy Positions by Function



Source: BEACON, BO149, Run Date 03/05/2015

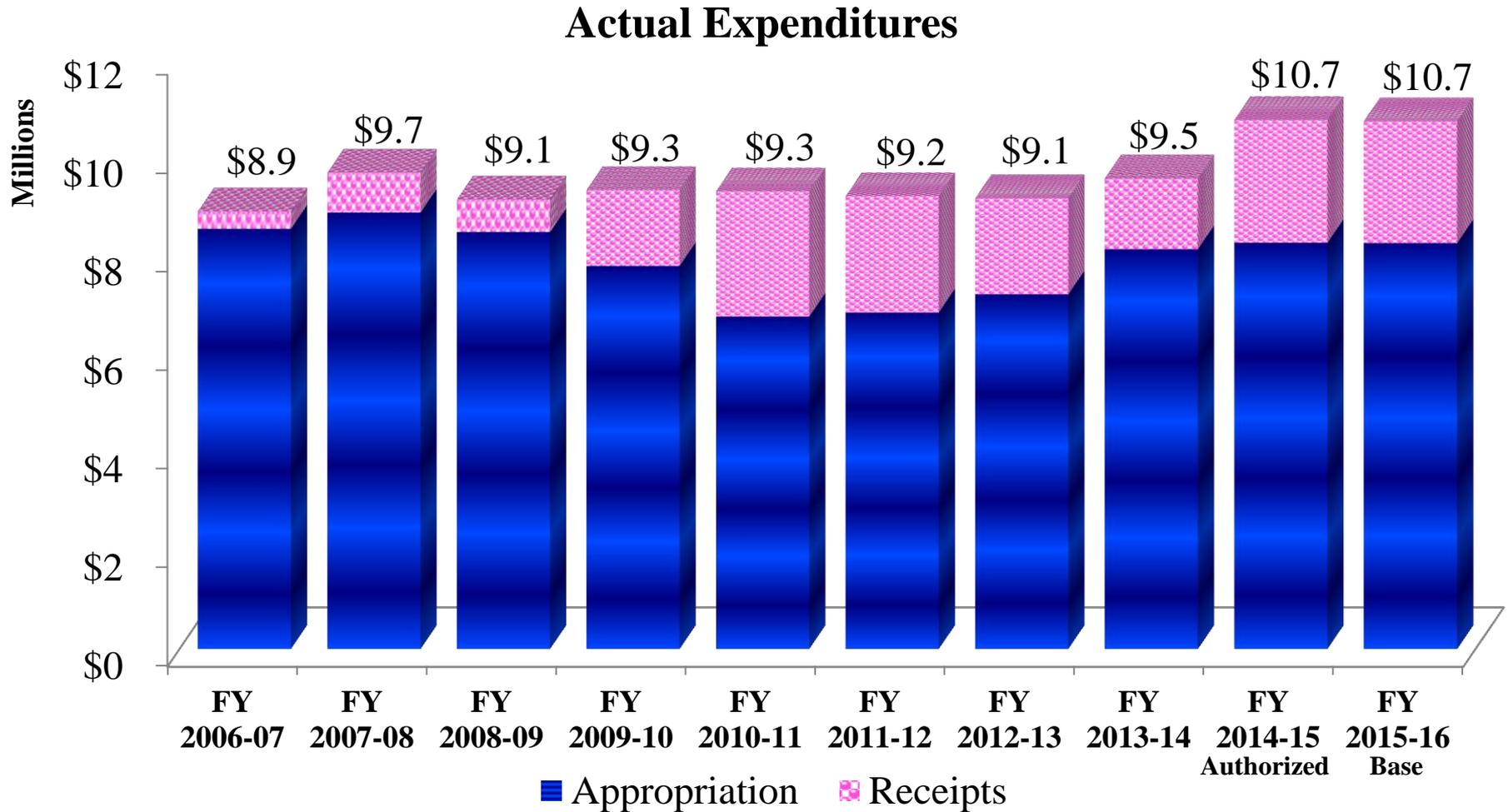
Certified Law Enforcement

Students Trained on Justice Academy Campuses and in Justice Academy Courses



Source: DOJ

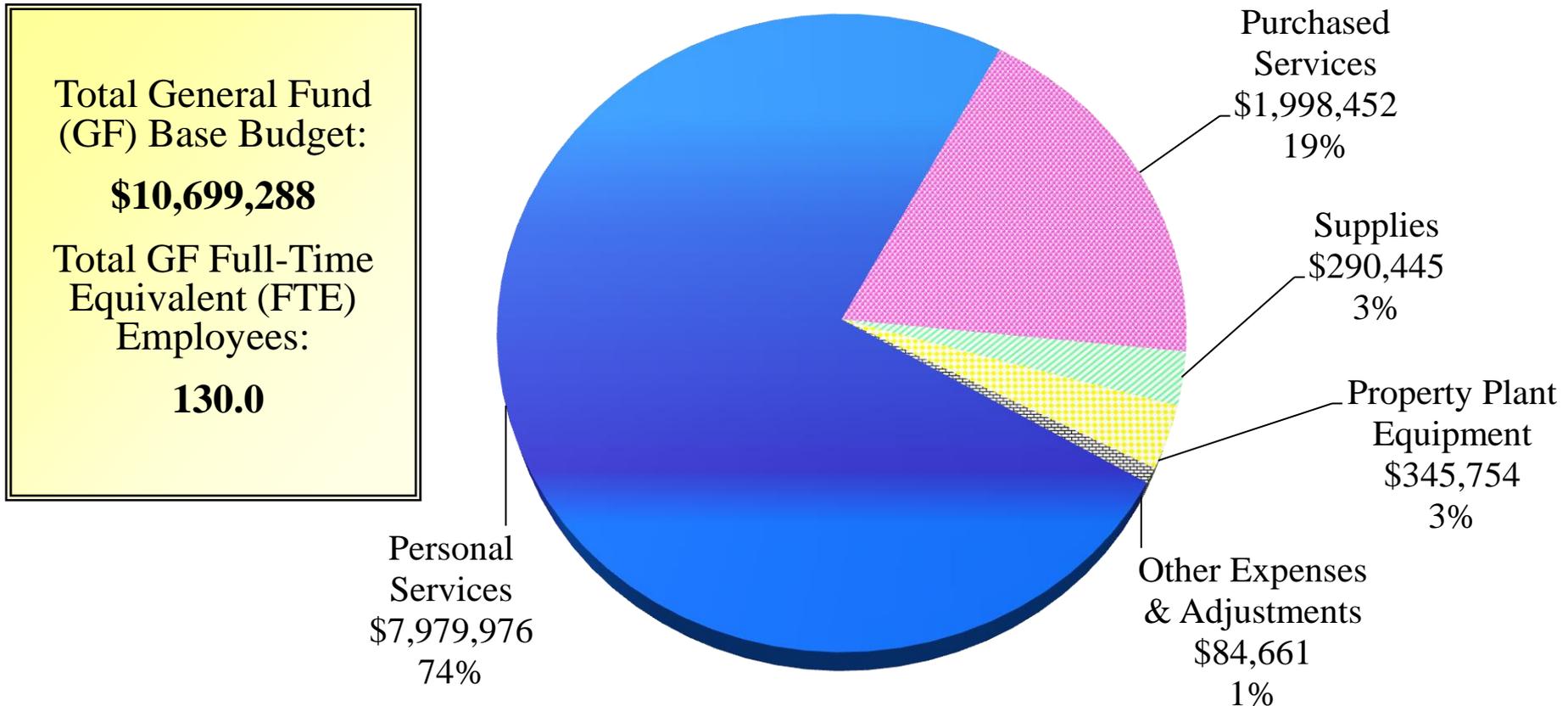
Training and Standards Budget History



Source: NCAS Budget History and Management Analysis

FY 2015-16 Base Budget

General Fund Budget by Account



Source: NCIBIS, DOJ Worksheet I, 3/3/2015; FTE – BEACON B0149, 3/5/2015

FY 2015-16 Base Budget

General Fund Budget by Source

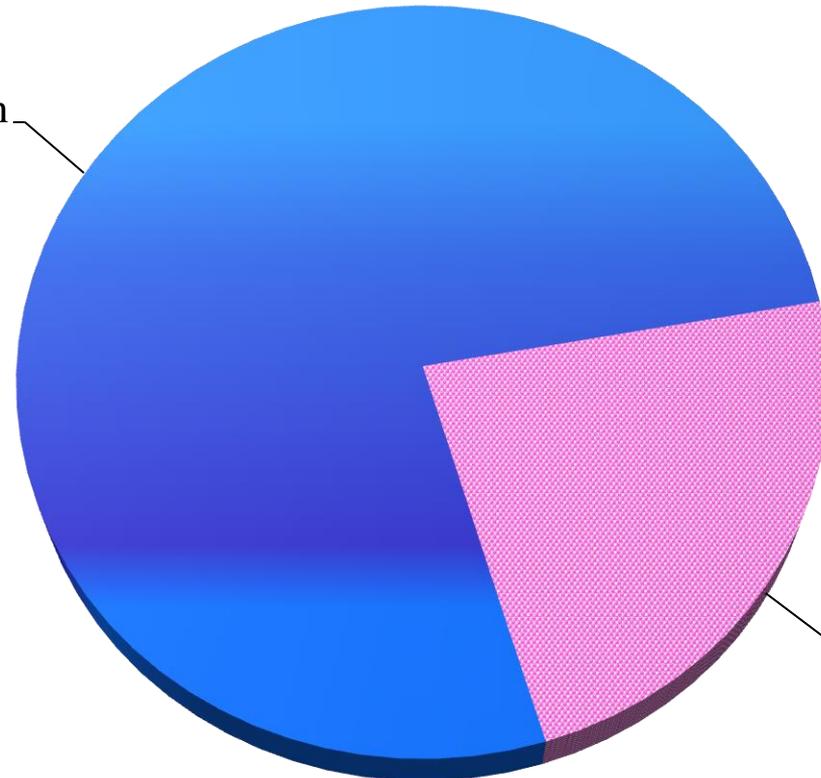
Total General Fund
(GF) Budget:

\$10,699,288

Total GF Full-Time
Equivalent (FTE)
Employees:

130.0

Appropriation
\$8,228,253
77%



Receipts
\$2,471,035
23%

Source: NCIBIS, DOJ Worksheet I, 3/3/2015; FTE – BEACON B0149, 3/5/2015

Recent Budget Actions

2013 Budget (S.L. 2013-360)

Department-wide Management Flexibility Reserve (\$1,700,000) R

Moved Sheriffs' Standards to General Fund support \$1,000,000 R

- **Sec. 2.2(e)** transfers \$1 million from the Statewide Misdemeanant Confinement Fund to the General Fund to support Sheriffs' Standards.
- **Sec. 18B.18** amended the court fee to direct it all to Criminal Justice Standards Commission.

2014 Budget (S.L. 2014-100)

Department-wide Management Flexibility Reserve (\$1,500,000) R

\$1,000 salary increase for all permanent FTE \$989,918 R

Questions

